IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

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APPENDIX IN SUPPORT OF TWANA AHMED'S RESPONSE TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

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Exhibit 1

Declaration of Twana Ahmed

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

| Twana Ahmed, | § | |
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| Plaintiff, | § | CIVIL ACTION No. 4:23-cv-02923 |
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| VS. | § | Jury Demanded |
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| Universal Protection Service, LP d/b/a | § | |
| Allied Universal Security Services, | § | |
| • | § | |
| Defendant. | § | |
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DECLARATION OF TWANA AHMED

- 1. My name is Twana Ahmed. The facts and statements that I make in this declaration are true and accurate to the best of my recollection. Unless otherwise stated or apparent from my testimony, I have personal knowledge of the facts and statements that I make in this declaration. I was told that "personal knowledge" means that I personally witnessed or experienced something using one or more of my senses, like sight, hearing, smell, or touch. I was also told that "personal knowledge" includes how I feel.
- 2. When I talk about accurate copies of documents, pictures, videos, or images in this declaration, I'm talking about the documents, pictures, videos, or images without the things that I understand an attorney or law firm might add: (1) letters and numbers at the bottom what I'm told are called "bates-labels" or "bates-numbers," (2) redactions, (3) highlighting, and (4) blue boxes around text, photos, or images. Unless otherwise stated or apparent from my testimony, any bates-labels, redactions, highlighting, or blue boxes were not part of the originals.
- 3. One of my attorneys added the captions and typeface in this declaration. The captions are not part of my testimony.

Basics: race, religion, national origin, work experience

- 4. I am a Middle-Eastern, Kurdish male. I am over 18 years old. I am originally from Iraq; I was born in Iraq. I am Muslim. I practice Islam. I have been a Muslim since I was born.
- 5. I became a United States resident in 2012. I speak a few different languages. My first language is Kurdish. I am also fluent in Arabic. I learned to speak some English as a young boy around 10 or 11 years old. In the past I have worked with the United States military translating verbal conversations from Arabic or Kurdish to English. When I speak English, sometimes words are difficult for me to say because of the accent. I've been told before by several people that I have an accent when speaking English. Writing in English is more difficult for me. It takes me some time to write and read in English. For writing in English, I sometimes use an app to help me write things by just speaking into the microphone. For example, I use a note app on my phone and speak what I would like to write down in English, then the app will write down what I am saying. It takes a while. And it is not always spelled the right way. Or if it does not understand what I am saying, sometimes the app writes down other words. Other times I use google translate (or something like that) to translate spoken and written words from Arabic to English.
- 6. I have a lot of experience working as a security professional. After moving to the U.S, I worked as a security officer for Spartan, Eagle Security, and USAPD Security. I was also trained by the United States Army for security detail.

Allied Universal: hiring and knowledge of Twana Ahmed's race, religion, and national origin

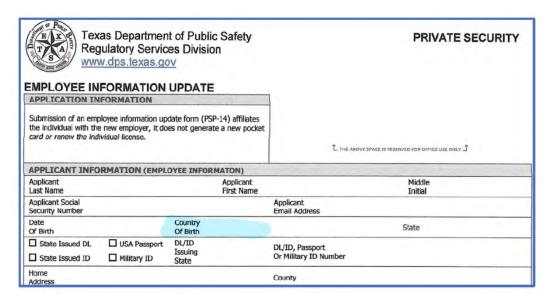
- 7. In 12/2021 I applied for a job with Allied Universal. I was scheduled for an interview on 12/13/2021 at an office. An accurate copy of the email scheduling me for the interview is attached as exhibit A.
- 8. When I got to the location listed in the email, I told the receptionist that I was there for an interview. The receptionist told me Allied was having a hiring event at a different location and they would do the interview over there. She gave me the address, which was for a Marriott hotel off of Westheimer Road in Houston. I went to the hiring event that same day.
- 9. When I got to the hiring event, I went to a table where there were two ladies sitting. One of the ladies, who told me she was from the Philippines, asked me what kind of license I had. She started reviewing my driver's license and security license. At

the time I had a Texas Commissioned Armed Security License. I told her that I speak a few different languages. She told the other lady, something like, "He has everything, we need to put him with the Elite." I remember hearing that they were short of staff and needed people fast, especially because of the busy holidays coming up.

- 10. I learned the "Elite" security officers are armed security officers for H-E-B owned grocery stores. And that the Elite security officers work at H-E-B, and the other grocery stores that H-E-B owns like Central Market, Mi Tienda, and Joe V's. That is the job that I was offered and I agreed to work. During my time working for Allied I worked at different H-E-B locations, and I worked at the Central Market by the Galleria, and Mi Tienda on Little York Road in Houston.
- 11. Then, the other lady told me to stand against the wall and she took a full body picture of me. She called the account manager at the time and told him that she had sent him a picture of me. She told me something like, "They want you. We need you to start as soon as possible." That was about it for the interview. Based on what I saw and heard, it seemed to me they just wanted anyone that had a Texas Commissioned Armed Security License ("security license").
- After that, either that day or a couple of days later, I was at the same hiring event and I was taken to a room with a woman who I now know to be Catherine Barnes (Allied's Human Resources Coordinator), and another person. I sat down and they had paperwork and a lot of computers there. Probably 10-15 computers. Catherine handed me a lot of paperwork and told me, "Sign here, sign here," without explaining what any of the paperwork meant. Someone told me not to worry about reading the paperwork. This was Catherine Barnes' email signature during the time that I was working for Allied:



- I understand that Allied says they did not know my race or ancestry, my religion, or where I was born. These are examples of ways that they did know:
- My first language is not English. When I speak English, sometimes cannot pronounce some words or do not know some words. I speak with a different accent. Some words are hard to say because of the accent.
- I remember filling out a form that had to do with my security license. The form asked for my country of birth, and I listed Iraq. This is what the top of the form looks like:



An accurate copy of the empty form is attached as exhibit B.

16. I also remember that someone copied my permanent resident card. It also lists my country of birth as Iraq. An accurate copy of my resident card is shown below and also attached as exhibit C.



- 17. About a week after I started working at H-E-B, Allied's Human Resources Coordinator Catherine Barnes asked me to come in and fill out some forms. I met with her on 12/29/2021. I remember that one of the forms I filled out was the same Texas Department of Public Safety security license form that I filled out before. The form that I filled out is attached as exhibit D. I also had to re-fill an I-9 form to correct an error with my date of birth. Catherine also copied my permanent resident card again at that time. Both the Texas security license form and my permanent resident card list my country of birth as Iraq.
- 18. Based on what I observed, it is my opinion that Allied knew that I was Muslim. For several reasons. Because of my name. Because of where I was born, in a country known for having a population that is almost all Muslim. Because of my Middle-Eastern accent. ,And because I told them, my supervisor and my manager that I needed to keep my beard for religious purposes. Based on my experience, most people know that it is part of practicing Islam for men to keep a beard.

Allied Universal: rushes to put armed security guards out in the field: no discrimination and harassment training.

- 19. There were other people in the hiring event room also filling out paperwork and on the computers. I don't remember exactly what they did on the computer, but some of it was asking for my bank account, address, and phone number. There was no actual training that day. There was nothing on the computer about harassment or discrimination, or anything like that. If I had any problem filling out the information, Catherine would tell me what to do.
- 20. I signed everything. I did not read everything, but I did notice part of the paperwork included some certificates. I believe they were the certificates attached as exhibit E.
- 21. The certificates say that I completed a new employee orientation and discrimination and harassment training on 12/15/2021. I did not complete any orientation that day. For the entire time that I worked for Allied, I do not remember Allied or anyone from Allied ever giving me any training on discrimination or harassment. I do not remember Allied or anyone from Allied giving me any new employee orientation.
- 22. About a month after I was first hired, in 01/2022, one of the supervisors told me I needed to go to training for the Elite program. I remember the training was for

seven days. Part of the training was at a gun range somewhere by Sealy, Texas. The other part was at the Allied office on Interstate 45 in Houston.

Allied Universal: pressures its Muslim officer to shave even after requests to keep the beard for religious purposes

- 23. The first time I met Patrick Freeney was in that Elite training class on Interstate 45. He came in and introduced himself to the whole class. I remember learning he had just been hired with Allied not too long before that. He said he was the new account manager of the H-E-B account. He said he was our boss. After that he left. We continued the class.
- 24. This is an accurate copy of Patrick's email signature after he became my new manager and for the rest of the time that I worked for Allied.

Patrick G. Freeney
Elite Client Manager for HEB/Houston
Allied Universal Security Services
11811 North Freeway| Suite 810 | Houston, TX 77060
C: 762.524.1023 | patrick.freeney@aus.com
License number: C15802

- 25. Patrick Freeney was there going in and out, in and out. I believe he was supposed to take the training with us, but he never actually stayed for the training, he kept coming in and out. I remember specifically that he kept coming in and out because the instructor was trying to teach us and we kept getting interrupted when he would come in.
- 26. One time he came in and someone asked him a question. The person that asked a question was a Hispanic male with an accent. Patrick started making fun of him, and saying "duh duh duh duh." At the same time, Patrick picks up his hand and interrupted the guy, moving his hand like a doll that you would move the mouth with your hand. I remember Patrick didn't answer the question and just walked off.
- 27. I observed other people asking questions, and Patrick was not answering those questions either. I also asked a simple question. Patrick did not acknowledge my question. Patrick seemed to me to ignore my question and instead just kept talking. In my opinion, based on everything I saw and heard, it seemed like Patrick did not want to answer anybody's questions. In my opinion, from what I was observing,

- he was rude and disrespectful, and was ignoring questions. For example, if you were talking, he would cut you off right away and not answer the question.
- 28. During one of our fifteen minute breaks, I was standing by the door. I was wearing a facemask, so you couldn't really see my beard. Patrick came up to me and told me, "You need to shave your beard." I told him that I have my beard for religious purposes. He said something like, "it is policy to shave your beard." When I went to sit down, I asked Mauro Siboldi, a Hispanic Elite security officer that was in training with me, if they asked him to shave his beard. He said no. I told him that Patrick just told me to shave my beard.
- Then when we were in class, and before the class started again, Supervisor Mauricio Zepeda came inside the room, and saw me, and told me, "You need to shave your beard." I turned around, looked at everybody, a lot of them had a beard. But I did not hear him tell anyone else that they needed to shave their beard. I said, "I have it because of a religious reason." He said something like, "it's a policy of the company." I thought it was weird that Patrick just told me the same thing, and then he comes in and tells me to shave my beard. My beard was trimmed up and clean. It was not messy.
- This is a picture of me on the right and Monroe McClain, Allied's training instructor on the left. This is what my beard looked like during the training class. The picture is also attached as exhibit F.

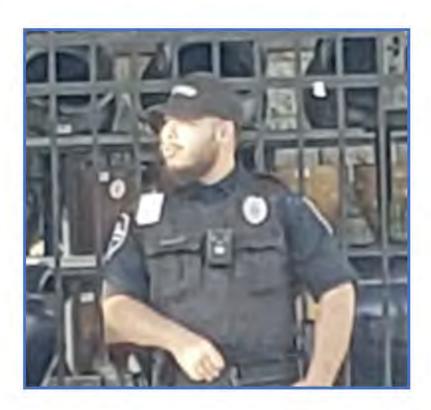


This is a picture of some of the people in my training class. I am not in the picture. If you look closely, even with masks on, you can see that many of the guys have beards. A copy of the picture is also attached as exhibit G.



After the Elite training class, a few weeks later, when it was still cold and still Winter, I was working at an H-E-B site on San Felipe Street and was told again that I needed to shave my beard. It was supervisor Mauricio Zepeda again. I had already told him in the past that it was part of my religion. I told him again that I had a beard for a long time and it's part of my religious belief to have one. Zepeda told me "You need to shave your beard, it is policy of the company, you can't have facial hair."

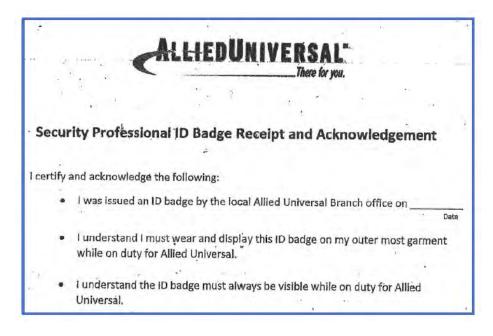
- A day or two later I shaved my beard. I felt like I was missing a part of me. I felt like I had to shave to keep my job. I did not want to be fired for breaking a policy. It made me depressed. My beard has been with me for years. It hurt me and I felt like I was discriminated against. But I shaved it because I needed the job to take care of my family, and I needed the money. I felt like I had to do what I had to do to keep my family fed and myself fed.
- 34. After that, I was switching posts one day at the H-E-B on San Felipe Street in Houston. A Hispanic male with a beard around eight to twelve inches long was there working, and I was relieving him—he was an Allied Elite Security Officer too. I asked him, hey did they ever tell you to shave your beard? He laughed and said something like, "no, no one told me to shave."
- 35. I've seen other Allied Elite Security Officers with beards, also with longer beards than mine. Here is a picture that I took of one of them. It is also attached as exhibit H.



36. No one from Allied ever told me I could keep my beard with a religious accommodation.

Allied Universal: withholds equipment from its Middle-Eastern, Muslim, Iraqi officer that others are issued.

- 37. I understand that Allied says they did not treat me differently than other security guards because of my religion, national origin, or race. Besides making me shave my beard and not telling other security officers to shave, these are more examples of ways that I was treated differently than other security officers that were not Muslim, Middle Eastern-Kurdish, from Iraq:
- 38. I know now that one of the forms that I signed during the hiring event was this ID badge receipt form. A copy of the form is attached as exhibit I.



- 39. Allied never gave me an ID badge. They never gave me an Allied metal badge or an Allied photo ID card, which was a required part of the Elite uniform. I saw many Elite security guards with these equipments. Some were Hispanic males, or white males, and some were Black males.
- 40. While I was working for Allied, I asked my supervisors for a badge and an Allied photo ID card at least ten times. I was told something like "they don't have any more cards, that is why you don't have one. "Or they would say "you'll get it later on." But I know that is not true, because I saw people at some of the posts where I worked that had photo ID cards. When I asked those people when they were hired, I learned they were hired after me. I was also at the office on Interstate 45

one day and I had asked one of my supervisors, when am I gonna get my picture ID card? He said something like, "we don't have the cards." As I was walking out to leave the office, I saw a Black, thin, short- haired male Allied security guard picking up a picture ID card. The receptionist was giving it to him. I saw her printing out the ID card.

Document 34-1

- 41. Supervisor Zepeda came to the H-E-B on San Felipe Street in Houston while I was in the field a few times. I would ask him, "when am I going to get my proper equipment, I don't have a metal badge, I don't have a body camera. When am I going to get my stuff?" He said something like, "don't worry about it, you'll get it." I've seen many officers with body cameras, Allied ID's and Allied metal badges out in the field. The Black officers in exhibits H and J also have them. And Raymond Rodriguez, a Hispanic male working for Allied as an Elite security officer had them.
- The uniform I got was not the correct uniform. Allied gave me a yellow shirt and black pants. Elite officers are supposed to wear navy blue. Below is a picture of what the Elite uniform looks like. It is also attached as exhibit J.

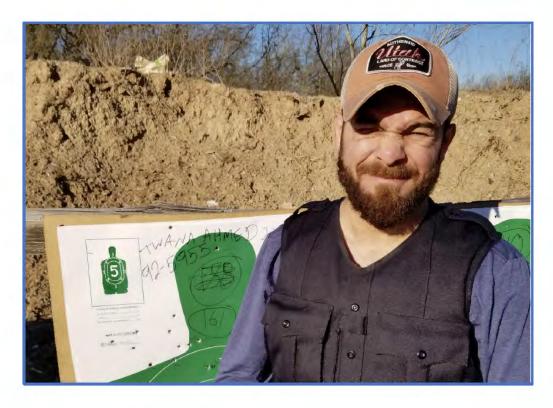


43. Below is an accurate picture of the shirt that Allied gave to me. I was also not given an Allied jacket.



- 44. I wear size small. The shirt that Allied gave to me was about four times my size. The pants that Allied gave to me were about three times my size. They were really long and from the stomach area they were really wide. I was not able to wear them. I told Allied the pants and shirt were not my size. They said just put them on, we need you to work today. That is all we have for now. After I had been working in the field, I saw people working in the field that were hired after me that were getting the navy colored uniform. To my knowledge, they were not Kurdish, or Muslim, or from Iraq.
- I was also given equipments that was broken or didn't work. I was issued a gun and a Taser that didn't work, when the other officers got guns and Tasers that worked.
- 46. Allied knew that my gun was broken. When we trained at the gun range for a few days. One of the final days of training at the gun range everyone had to shoot targets to qualify, like a test. Monroe, Allied's instructor gave us the ammo. Each of us had to shoot a certain number of rounds. We were lined up to shoot the targets. And every time I pressed the trigger; my gun would malfunction. It would fire the first round, and the casing was supposed to eject, but it would get stuck in the barrel, so the second round could not reload in the gun. And then I had to clear it—take the magazine out and pull the slide to the back to make sure the casing would eject, and then re-load the gun and shoot again. And it would jam again. The entire time the gun was jamming. Everyone else was shooting. Some of the guys that were with me, they had never shot a gun before, never held a gun before, and they qualified—passed the test way ahead of me.

- 47. I told Monroe, that my gun was not working, it was malfunctioning. We went all the way to the back, we put CLP gun oil on it, and went back to shoot again. And the gun jammed again. One of the guys was right next to me. He even told me he never shot a gun and had the least experience. He pointed the gun at my feet and I had to say loudly at him, "hey man you're pointing the gun at my feet." He qualified way ahead of me.
- We had to go to the back again. Monroe took the gun apart. He took the barrel out, and took the spring out. He said, something like "I know what's wrong with it, the spring is bent. We can replace it for you later on. I'm gonna give you a different gun to qualify with." I took a different gun and I qualified right away.
- 49. This picture below was taken after I qualified. It is also attached as exhibit K. You can see that there are two scores marked on the paper. One of the scores is crossed out. I was not hitting the targets because the gun kept jamming on me. I had to do the test again with the borrowed gun and then qualified right away. The second score that is not crossed out is the score I got with the borrowed gun.



50. Monroe took his gun back and gave me the broken one. The broken gun is the gun that I had to use for the rest of the time that I was working for Allied.

- 51. I am familiar with guns and I think Allied never should have let anyone go to work with that gun because it was in such bad condition. Not too long after that training I told my supervisor, my gun is not working, I need a new one. He said something like, "we're gonna look into it."
- 52. One time I went to the Allied office on 45 and I gave Monroe a gift. Traditionally, in Islam, you give sweets to show appreciation. I gave Monroe and Catherine Barnes some Baklava. When I was there, I told Monroe, "Hey, I still have my same gun, the one that is not working." Monroe said something like, "Let me see what I can do." The whole time I was working with Allied, Allied never gave me a new gun.
- 53. Allied Supervisor Zepeda was the one that gave me a Taser that same day that he told me to shave my beard. It was when I was in the field at the H-E-B on San Felipe Street in Houston. It was the second shift, the evening shift. Zepeda took me a Taser. I tested it in the field by taking the cartridge out—you flip the safety on it, and you press the trigger. I did that test and it was not working. I told Zepeda, this thing is not working. He said, "Yeah, it's dead. Just have it on you for the look of it, so they can see you carrying one." I know that other Elite officers, including Raymond Rodriguez, a Hispanic male had working Tasers.
- 54. I remember I was freezing. It was cold. It was winter. I had seen people working that I relieved wearing an Allied issued jacket. That day I asked Zepeda for a beanie and a jacket. He was driving a gray dodge car. He said, "we don't have any." When he opened the trunk, I noticed there were a bunch of jackets in there.

Allied Universal: Client Manager Patrick Freeney initial harassment—racial/xenophobic remarks, physical threats

55. Sometime in 01/2021, Allied Supervisor Alex Bergeron called me saying he had extras hours for me to work, and asked if I was willing to take it. And I said yes to him. I told him, send me the location, time and date, and all the information. The post was at an H-E-B store like 45-50 minute drive away from me. It was outside of Houston. I go there early in the morning. Before I got out of my car, I drive around, drive around, looking for the Allied patrol car. I don't see a patrol car. I get out, go inside the store, looking to see if there was a security guard. I didn't see anyone. So, I decide to call Alex. Alex was off work on that day. I said, "Hey Alex, I'm here at the post, I'm looking for the patrol car, I don't' see one. This is the day you told me to be here, and the location." He said, something like "I got no time, it is my day off, go ahead and leave and we will pay you for the time driving." I got frustrated because I drove all the way over there for nothing. So, I picked up

the phone and I called Patrick Freeney and I explained everything to Patrick. I told him what exactly happened. And I sent him a picture of the schedule. Patrick told me to go ahead and leave, and he will get to the bottom of what was going on and he will get back with me. I left and didn't hear back from Patrick.

- 56. A few days later one of the supervisors, either Mauricio Zepeda or Nathan Hernandez, called me and said, something like "why didn't you show up to work, you missed a date." And I said, "what are you talking about? I never missed a date." They said, "you agreed to a shift and you never showed up." I said "that's not right," and I showed them that I had no text messages from Supervisor Alex showing I should work.
- 57. Then Patrick Freeney called me and told me I needed to show up at the office. When I arrived at the office, I texted Patrick to let him know I was there. This is an accurate picture of that text message. It is also attached as exhibit L.



58. Patrick came and got me and took me to his office. And he starts telling me, "Why did you miss a day?" I told him I didn't miss any day. He was getting very argumentative with me, and very confrontational. I was trying to explain to him what happened exactly. In my opinion, from observing how he was acting with me, he didn't want to listen to me. He kept cutting me off and talking over me. And I was like, "I have the text messages that prove I went to the post. I called you and told you what happened that particular day. You were supposed to get back with me and you never did." And I said, "you can't listen to one side of the story, you need

to listen to both sides of the story. You need to bring Alex in here and listen to both of us at the same time." Then he starts yelling in a loud voice, "this is America, we run things different, not like where you come from. Thing's don't get run like that over here." I was shocked and at the same time I was scared. I was struggling to get the right words out, and sometimes I stutter when I speak English, because of the accent. Patrick started making fun of my accent and said, "duh duh duh duh, keep talking, keep talking." The way he said it made me feel like it was a threat to me if I keep talking. Then he said something like, "If you are lying to me, I'm gonna fry you like a fucking chicken." He goes, "if you're lying, I'm gonna destroy your fucking life. He was not saying it like a joke. He was saying it like a threat to me. And I felt like he was saying very discriminatory things to me, telling me that this is not where I am from, that this is America.

59. Then he said something like, "You're gonna be hearing from me." But I never heard back from him. I guess he realized I was correct. He never called or texted me and never apologized for what he did to me in the office.

Allied Universal: does not investigate or otherwise address report of discrimination

- 60. When I left Patrick's office that day I ran into Catherine Barnes. She wanted me to fill out some paperwork. She said that I was missing a paper. It turned out it was the same Texas licensing paper for the Texas Department of Public Safety that I had already filled out twice before. The same form that is attached as exhibit C. I told her, "I did this paper twice. This is the third time I do it." I filled it out again and then I asked her for help. I told her, "I have been asking for overtime and more hours because I am in a bad spot for money. I really need to work and I don't mind anywhere, if you can help me with that." Then I told her, "I wanted to say, I think I'm being discriminated against by my account manager. The way he's talking to me and the way he's taking hours away from me. I'm losing a lot of overtime. Because in the beginning when I started working with Allied, I was getting a lot of overtime. But since Patrick became the account manager, things have changed around me." She did not respond. All she ever said was "just sign."
- 61. I believe that Catherine Barnes told Patrick what I said. Thinking back, I remember seeing them before in the office laughing and talking together, like they were good friends.
- 62. I was shocked and scared after that. I got very depressed. This is when I started pulling my hairs out, from being so depressed. I still have scars from that. It

affected my work. I knew based on everything that happened that any small mistake or anything I did, Patrick was watching me. In my opinion he was targeting me.

Allied Universal: Patrick Freeney's retaliation

- 63. About a month or so later, I was talking with Monroe, my Elite training instructor, and explaining to him that I needed overtime hours. I had heard that there are different account managers at Allied and Security Officers are able to work with different accounts. I asked Monroe if he knew anyone, so that he could help me out. Monroe told me he would check and get back with me. Monroe later said he would help me out and talked with Ms. Travis, who was the account manager with the City of Houston. This was still an Allied job, but it would be under a different account manager.
- 64. Attached as exhibit M is an accurate copy of the text messages I had with Monroe about me working the City of Houston Allied account with Ms. Travis.
- 65. I remember talking to Ms. Travis and she said, I have 12 hour shifts with City of Houston. It was in a parking lot. She told me you cannot use your Elite equipment, like the Elite Taser. She said I would need to use my own equipment. She said, something like, "since you would be working with me too, I need to talk to your account manager to get permission from him. I would pay the overtime difference" My account manager was Patrick Freeney at that time. She got back with me later on and said, "He didn't give permission." Patrick didn't approve it. I felt like Patrick was blocking me specifically from getting overtime. Based on what I observed, I knew that other officers were allowed to work on different accounts and got Patrick's approval. In my opinion I was being targeted by Patrick.
- 66. On 3/19/2022, I was working at the H-E-B on San Felipe Street in Houston and I remember it was evening time. As I was patrolling, I saw someone passed out drunk on the property of H-E-B, on the sidewalk close to the street. The H-E-B manager, Meredith Rodriguez called me. She said she had people stealing in the store and she needs my help. I told her I have someone passed out over here near the store, I'm not sure what is wrong with him. Afterwards she told me she recognized him.
- 67. I walked over to help the manager and I saw there were two Hispanic males. One of them came towards me in the parking lot and we were near a car, he kept coming towards me and I was getting close to being pushed up against the car. The man grabbed my hands and we started struggling. Another manager, a male came and

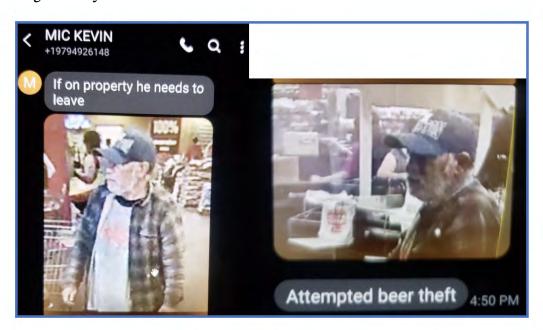
helped me out. The manager pushed the guy off of me. The two Hispanic males were getting very aggressive. Houston Police Department came, and the ambulance came. The ambulance checked them out, and found out that there was nothing medically wrong with them, just that they were drunk out of control. I understand that they got arrested for theft and trespassing, and they were told that they had been trespassing, and they were not allowed to come back to that property or any other property owned by H-E-B, because that was not the first time that they were stealing from that particular store. The H-E-B manager told the police they had just been stealing from the same H-E-B store the day before. After that the manager told me, thank you for what you did, you did a great job, making sure you had everything under control. I did not hear from Allied. I did not hear anything, but it was kind of weird, because a supervisor showed up. I asked him, are you here for the incident? He said, I don't know what incident you're talking about, but don't worry about it. I told him there were a couple of guys that got arrested and they went to jail. He didn't talk to anyone or do anything about it. I asked him if I needed to fill anything out. He said, no.

This an accurate picture of the two guys that were arrested on 3/19/2022. A copy is also attached as exhibit N.



The police records also attached in exhibit N provide an accurate account of what happened that day.

69. On 4/4/2022, I was working at the H-E-B in Bellaire, Texas. I was patrolling the property in the Allied patrol car. And the H-E-B manager, Kevin texted me a couple of pictures. He texted them to the site phone. This is a screenshot of those text messages. They are also attached as exhibit O.



Then the H-E-B manager Keven starts calling over and over on the site phone He said something like, "they are back on the property, I have kicked them out already and they are back in the store again." He said "they are still inside the store." I went to the second floor and I walked inside the store, and saw Kevin, the H-E-B manager. He gave me directions to where exactly they were. So, I went there and took pictures of them. They were loading their carts with beer, wine, and meat or food. This is a picture that I took of them that day. It is also attached as exhibit P.



- 71. I immediately recognized the guys from the encounter I had with them at the H-E-B on San Felipe Street in Houston. I remember that they were very violent from that encounter with them before when they were arrested. And I knew they were not supposed to step foot on H-E-B property. They had a criminal trespass warning. They were the same guys that had just been arrested on 3/19/2022 at the H-E-B on San Felipe Street. They are a team of three working together but this day they were a team of two.
- 72. The H-E-B manager Kevin asked me, "do you want me to call the police?" I said yes, if you want to, call them. The manager then called the police. So I went by the door, close to the door area. The manager was about 20 feet away from me. He said, "stop them, don't let them leave with the merchandise." I believe one of the guys had already left the store. There was just one left and he was pushing the shopping cart. He walked around the cashiers and went to exit the store.
- When he came toward me, I told the guy, "Hey, you need to go back to the register and pay for the merchandise that you have." The guy came at me with the shopping cart. I put my hand out and stopped the cart so I would not get hit with it. Then I said again, "you need to go back and pay for the merchandise. Go back behind the register." His tone completely changed and his eyes start opening up and looked angry and very red. The next part happened in a matter of seconds. He said, "move out of my way. I'm gonna cut you up, I have a knife on me." He was aggressive and hostile. He smelled very strong of alcohol. He seemed 100% drunk. And he seemed not in a right state of mind. I looked to his sides to observe anything sharp on him he might grab, and I saw by his right side of his jacket it did not look normal. I saw something shiny and I thought I saw a knife. I was scared that he was going to cut me. He appeared to me to be not in full mental capacity to be in the public. He seemed to me completely drunk out of his mind. I was worried for my safety and the safety of everyone else on the property. At the same time, I was not sure what he would do because he seemed so drunk. He could hurt me or himself, or anyone else around him. I quickly went around him and I started to put one handcuff on him. I did not handcuff him completely. He was fighting me with the other hand. Then the police arrived and said we are taking over. The police finished putting the handcuffs on, using my handcuffs.
- 74. The police officers did not ask me for a statement or question me at all. The police asked, where is the merchandise, and how much was it? The manager brought the amount to them. The police officer looked at it and asked, "do you want to press charges?" The manager said "no." The policer officer said something like, "well they are going to jail anyway for public intoxication." They arrested him for public

Case 4:23-cv-02823

- Alex showed up a few hours after the guys were arrested. I was downstairs in the patrol car when I saw Alex in an Allied patrol car in the parking lot. It looked like he had just gotten there. I did not see him ever go inside the store to talk to anyone. We both got out of the car and were standing in the parking lot. When Alex showed up he said, something like "you handcuffed somebody. You need to write a statement of what happened. He handed me the paper and I told him I write very slowly. I was trying to tell him everything that happened. I explained everything to Alex, including that the manager called me inside the store, I tried to show him the pictures. He wouldn't look at them. It seemed like he didn't want to look at anything or listen to me. Based on what I observed, it is my opinion that Alex just wanted to get out of there. I told him, "The guy threatened me. He made a threat toward me and he said he had a knife and he was gonna cut me up. I took it seriously." It seemed like Alex did not want to listen to my side of the story. Because he did not seem to be paying attention to me. As I was trying to talk to him, he was on his personal phone looking at something. He said something like, "Yeah, yeah, I understand." It seemed like Alex was in a rush. He told me something like, "you're taking too long, hurry up." I do not write in English very fast. Usually when I write something in English I have to translate it on my phone. So, it was taking me a long time. In my opinion he was super impatient and didn't want to wait. He said something like, "don't worry about it, you don't have to finish it. Give me the paper. You need to go see Patrick tomorrow at the office in the morning. The decision has already been made." That's when I told him, "I have to work tomorrow. He said, "no, you have the day off." He took the paper and left.
- After Alex left, I stayed working and finished my shift, which ended when the store closed, at around 11pm. Sometime before the end of my shift I tried to write a report on my phone. I got into my phone notes app and spoke into the microphone and it converted what I said into the note attached as exhibit Q.

Allied Universal: Patrick Freeney's retaliation and discrimination continue

The next day, on 4/5/2022, I went to see Patrick Freeney at the Allied office on Interstate 45. I told the receptionist when I got there that I was there to see Patrick.

- Patrick came and got me and we went into the office. He shut the door. We were sitting down. And he had his foot up against the table and he was rocking his chair. He had a statement there typed up by a computer. It was not a hand-written statement. There was a metal steel pen right next to the paper ready for me to sign.
- 79. Patrick said, you need to sign this document. I asked, what is this? He said, this is a statement about what happened. I said, the statement should be written by me. And that's when he flipped. The statement was not right. It said I got out of my patrol car and approached the man for no reason and then pushed and handcuffed him. It is not true.
- 80. I tried to show Patrick the note on my phone. He told me "I don't want to see anything." He said something like, "this is what happened, (pointing to the typed statement), are you refusing to sign it?" He never looked at my statement on my phone. I told Patrick, "That guy threatened me." He said something like, "I don't want to listen to that bull-shit. I don't care what happened. You need to sign this form." And I said, "this is not what happened. You were not there, I was there. You didn't hear what happened. I did. I was there. It happened to me." I told him, "I didn't write this paper that you are trying to make me sign." One of the things that the paper said was that I acted alone without the manger telling me what to do. Which was not true. The manager told me to go into the store. I asked him to correct it. He said, you need to sign this paper, and he started yelling at me.
- He yelled, "I don't give a fuck what happened or what you did or what you didn't do. You are a loose cannon. I am gonna make sure your license is taken away." At the time I thought he had authority to do that. I was really scared. He started telling me he would press charges on me and put me in jail. He said, "I'm gonna destroy your life. I will destroy you and fry you like a fucking chicken. If you don't like it, go back to where you came from." He said "you are suspended until the outcome of the investigation. How did your dumbass work for the military? You need to come back tomorrow and turn in your equipment." This made me feel like I was nothing. I thought how I was willing to sacrifice myself to serve this country, when so many other Americans are not willing to do the same, and still I'm treated like this?

Allied Universal: continued retaliation and harassment—racial slurs, physical threats

- 82. I went back the next day on 4/6/2022 to turn in my equipment, the gun and the Taser. Same as the day before, I checked in with the receptionist and Patrick came out and grabbed me. He was on the phone. He had like headphones on and he was talking to someone on the phone. We went into his office and he shut the door. As soon as I sit down, he told the person on the phone, "I've got to call you back, I'm dealing with a sand-nigger."
- I gave him the Taser. He looked at it, he put it down. He opened the gun case. He didn't clear the gun or anything. He turned the gun toward me. I got freaked out. I moved the chair out to the side to be out of the way. I knew the gun was not loaded but it's a gun, you never trust a gun. You never know what's inside it. When he pointed the barrel toward me, he flipped the other side, and his finger was really close to the trigger. He looked at the serial number and wrote it down. The he just threw it back on the desk. I was shocked that he did that.
- 84. After Patrick threatened me with taking away my security license, or pressing charges on me, I was really scared about what he would do. I was worried about what Patrick would say if I left without a receipt to prove that I turned in my equipment. So, I asked him for a paper proving that I turned in my equipment. He got up and went somewhere. When he came back, I wanted to explain to him again about what happened to me. I told him that I needed to have the opportunity to fill out the report of what actually happened. He refused to give me that opportunity. He started yelling and talking over me. He said, "shut your fucking mouth and listen. You're not fucking listening to me." I got up and told him I needed to use the restroom. I got up and went to wash my hands and when I came back, I opened the door and I left the door open on purpose, to try to see if someone would hear what he was yelling at me. I think that I tried to open the door twice, but he got up both times and closed the door.
- Patrick continued to berate me. In my opinion he was he was like a psychopath to me. And he was talking in an angry and aggressive tone of voice. I tried again to explain my situation but he would just talk over me and it felt to me like he was trying to intimidate me on purpose. Every time I tried to talk, he would go "no no no no no, we're not doing this, shut your mouth and listen." He was disrespectful in ways that I've never seen in my life. He said again, "I'm gonna fry you like a chicken. This is not like where you come from. We run things different in this country. If you don't know how to survive over here, you need to go back to wherever you came from. Clearly you do not belong here."
- 86. I told him, "You are discriminating against me and you are attacking me." I asked if I could see somebody over him. His supervisor or someone like that. He turned

red and his eyes bulged out. You could see the white of his eyes come out. He had a metal pen down and he tossed it down. He said something like "I don't care what you say. Nobody wants to see your dumbass." He stopped filling out the equipment return forms. Then he went and grabbed more paperwork and he was writing the serial number down and counting the bullets. I would try to talk and he said, "No I don't want to listen to that bullshit. There is nothing coming out of your mouth I want to listen to." He said, "when the investigation's over, I'm gonna make sure you're gonna be fired. Even if you're not fire-able because I don't' need somebody like you in this company."

- 87. Again I was having problems saying certain words. Again Patrick would make fun of me and go, "Duh duh duh duh. Keep talking keep talking. What you're saying, it doesn't make no sense to me." Every time I tried to say something he would tell me to shut up. "Just shut your fucking mouth."
- 88. All at the same time I didn't want to jeopardize my job. He was already threatening to press charges and jail me. I was trying to just swallow everything and deal with it. He says "You're suspended until the outcome of the investigation." I asked him "how long will that take?" He said, "I don't know, you will be hearing from me." I did not hear back from Patrick after that. No one from Allied ever contacted me to ask me for my statement of what happened or asked me to submit a full incident report.
- 89. Five days later, on 4/11/2022, I got an email from Catherine Barnes, the same Allied HR Coordinator that I had talked with before. Patrick Freeney was copied on the email. In the email Catherine was asking me to fill out the same form again, the Texas Security form from the DPS. This is what Catherine said in the email.

From: "Barnes, Catherine" < Catherine. Barnes@aus.com>

To: "twana 202020@yahoo.com" <twana 202020@yahoo.com>

Cc: "Freeney, Patrick" < Patrick. Freeney@aus.com>

Sent: Mon, Apr 11, 2022 at 6:00 PM

Subject: Allied Universal Security License

Good evening Ahmed,

We are emailing you due to missing documents needed for your security license affiliation, please complete the attachment by completing the applicant information section, acknowledgments, sign and date and return asap.

An accurate copy of the email is attached as S. Allied produced a copy of the email and the attachment, but it does not show the date. Allied's copy is also attached in exhibit S. It is the same email that I received on 4/11/2022.

Allied Universal: does not respond to or investigate written report of discrimination

- 90. I texted Catherine Barnes on 4/21/2022 asking her to call me at her earliest convenience. An accurate copy of that text message is attached as exhibit T. She did not call me or text me back.
- Then I wrote back to Catherine Barnes on 4/25/2022. An accurate copy of my email is attached as exhibit U. This was my email to Catherine:

Hello Katherine this is Officer Ahmed I'm replying to your message in regards to this form I have completed this form 3 times previously I've filled it two times with you personally and once at the event at the hotel when I get hired. I wanted to let you know because I feel as though I am being discriminated against and I have been on suspension for over 2 week. I performed my duties to the best of my ability I did nothing wrong and have been under suspension for two weeks now.

I have been targeted by the account manager he has been rude to me he has stated to me Racial slurs and threatened me I have been silent under the risk of losing my job. He has pulled me into office doors closing the door behind them and threaten me on the property he said he will (fry) me and to go back to my country and that there is a certain way things go in this country not where I'm from he said. I am not aware if he has had problems with other Muslim employees but he has made it clear to me that he has a problem with me.

He made me shave my beard even after I told him I have to keep it for religious purposes and most recently be stated to me that he was going to make sure I get my license taken away from me and I'll never be able to work security for the rest of my life why he is threatening me like that I really don't know.

I've never missed a day I've never called in sick I have been a good employee and have considered the interests of the property and this company. I can't even get another job because I don't know if I'll lose this one. I do not want to leave this company it has treated me well other than patricks racism I wish to continue working for this company.

Please Catherine give me call back at your earliest convenience thank you.

92. Catherine did not respond to that email. I emailed her again on 5/6/2022 asking her to please respond. She responded on 5/9/2022 saying, "This is the first email I've received." I wrote back the next day asking her what the status of my suspension was, and I told her I had written about being targeted by a manager. The following are accurate copies of the emails we exchanged after that. All of these emails I had with Allied HR coordinator Catherine Barnes are attached as exhibit V.

On Tue, May 10, 2022 at 8:01 AM, Barnes, Catherine <Catherine.Barnes@aus.com> wrote:

Good morning Twana,

I am unfamiliar with the suspension you are speaking of nor did I receive anything detailing your suspension. For further assistance please contact the AUS hotline for at 1-888-260-5948.

Best regards, Catherine Barnes

Human Resources Coordinator

Allied Universal

11811 North Freeway | Suite #810 | Houston, TX 77060

W: 832-786-3911 | catherine.barnes@aus.com

License # C15802



From: Twana Kaka <twana 202020@yahoo.com>

Sent: Wednesday, May 11, 2022 7:47 PM

To: Barnes, Catherine < Catherine. Barnes@aus.com>

Subject: RE: RE:

Thank you for your response but why cant I receive information from don't you handle employee affairs and take complaints?

On Thu, May 12, 2022 at 8:11 AM, Barnes, Catherine <Catherine.Barnes@aus.com> wrote:

Good morning,

No I do not.

Best regards, Catherine Barnes

Human Resources Coordinator

Allied Universal

11811 North Freeway I Suite #810 I Houston, TX 77060

W: 832-786-3911 | catherine.barnes@aus.com

License # C15802



Allied Universal: never tells its employee he was fired, fails to protect him from retaliation

- 93. After that, on 5/16/2022 I emailed Catherine Barnes again to ask her I was still employed by Allied or if I was still suspended or if I was fired. Catherine never responded to that email. An accurate copy of that email is attached as exhibit W.
- 94. This whole time I thought I was still suspended, and no one would answer my question about if I was still suspended or not. I looked up Allied and found a different address. I remembered that with Allied you are allowed to work for different accounts. I went to a different address, a different office location and I met Krystal Balanta, an Allied recruiter there. I told her my situation and I asked if she could help me out. And she said, we have a lot of open posts, I got plenty of posts and I can try to give you one and help you out, what is your social. I gave her my social. She typed it into the computer and she called someone from HR. Then she said, I emailed Katherine.
- 95. The next day, I got a text message from Krystal saying that I was not rehirable, and I needed to contact Katherine Alyea from HR. Attached as exhibit X is an accurate copy of that text message.
- 96. I emailed Katherine Alyea that same day, on 5/25/2022, and also called the hotline that same day to report what happened to me. The hotline person told me they would not write down everything, but just the most important things. Katherine told me to contact Wayne Oliver, an Allied HR Representative. A copy of those emails and the hotline summary are attached as exhibit Y.
- 97. I started talking to Wayne Oliver and reported everything that happened to me again on the phone. He also asked me to send an email, which was harder for me. I never was notified that the investigation was closed. Wayne Oliver contacted me and did his own investigation. We were talking in the summer. It was hot. We were talking on the phone. He said to me, something like "I believe that you got treated unfairly, but there is nothing I can do. I believe what you said to me." And he said "there is nothing that I can do. I believe what Patrick did to you. But there is nothing I can do about that; the decision has already been made from higher up."
- 98. I know that I followed Allied's use of force policy. We were instructed to use the proper force necessary for the threat. And the policy says you can use force to protect yourself or others from harm when there is a threat. A man I observed to be drunk out of his mind threatened to cut me with a knife and was being aggressive toward me. At the time I thought he had a knife on him. And he did not seem in a

right state of mind based on the way he looked and was acting. I had a gun on me and a Taser. I did not use using those. I used the lowest amount of force I thought necessary for the threat. And no one was hurt. The man was never pushed on the ground or anything like that. I believe based on what I saw, heard, and observed from other security officers that have used force at Allied, that I was setup and targeted by Patrick Freeney. He promised he would to everything he could to get me fired, and he did it because he did not like who I am or where I am from, my religion and origin.

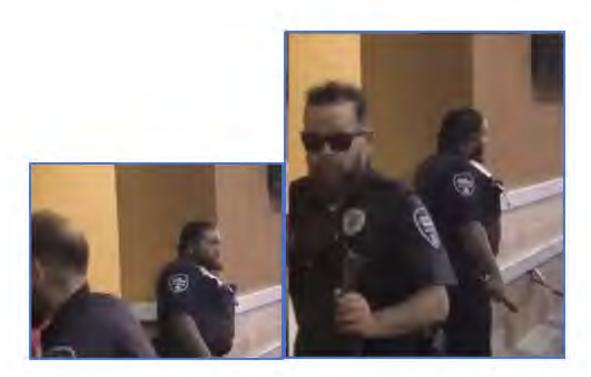
99. The whole situation made me lose ability to sleep. I lost some of my hair, and I was pulling my hairs out without even realizing. It still affects me today. I wake up in the middle of the night sometimes and I've went to a church that was close to me and just cried and cried. It wasn't a mosque but it was a place of worship, and it was close. I was drawn there to try to feel better. What Patrick did made me very depressed. Based on what I felt and sensed and heard Patrick Freeney say and do to me, it is my opinion that he has no care for me as a human being because of my religion and where I come from. He treats people badlly, but he treated me worse. I felt like he had a target on me.

Allied Universal: other security officers using force

- 100. I met Raymond Rodriguez, at H-E-B on San Felipe Street in Houston. He was also an H-E-B Elite Security Officer under Patrick Freeney. I met him there when I was relieving him from a shift. We were friendly. I saw him carrying a knife. We were not supposed to carry a knife. You are also not supposed to carry a gun on your thigh, you are supposed to use the Allied Universal issued holster. Everything was supposed to be issued by Allied. He had his own stuff, his own equipment. I knew that was against policy.
- 101. One day, I went to the H-E-B on the corner of Kempwood Drive and Gessner Road in Houston to buy gasoline for my car. And I saw Raymond Rodriguez. He is a Hispanic male, working for Allied as an Elite Security Officer at that time. He brought up an incident that had just happened with him one or two days before with him. He told me that he had to us the Taser on somebody at the H-E-B gas station. The guy was a double-amputee. And he said he dropped him to the floor. I asked him, was the account manager notified? He said, yes, he was notified. He was on the phone with me. The reason I asked was because of the way Patrick acted with me using the handcuffs at H-E-B. I asked him if he recorded the incident, and he said, yeah, I recorded it on my body camera. He told me the guy was trying to break the glass.

- 102. A couple weeks later, I went back to buy gasoline at the same location. I saw a different Allied security guard. I asked him, hey have you seen Raymond? He told me, yeah, he had a problem going on. I asked what? He said, this time he dragged somebody off the shelf and out of the store. He said, he still works for the company. He didn't get fired or anything. He just got moved to a different account and doesn't work for the Elite account anymore.
- 103. After I found out that Allied said they have no incident report or use of force report for what Raymond did, I went to the police station to see if they had a report of Raymond's use of force. A copy of that report is attached as exhibit Z.
- 104. I listened to the 911 call linked on exhibit AA and I recognize Raymond's voice in that recording. The police reports and the transcripts of the 911 calls also match some of what Raymond told me happened to him when he had to pull the Taser on the double amputee. The calls and reports say Raymond tazed the man and put handcuffs on him. Those are attached on exhibit BB.
- 105. As far as I know, Allied did not even do a use of force report or incident report for what Raymond did. I did not even pull out my Taser and Allied suspended me and fired me. My opinion is that they were retaliating against me and targeting me.
- 106. I also saw on the news that an Allied security officer at a Kroger in Houston, who was working during the time that I worked for Allied, pepper sprayed and dragged a lady out of the store because he thought she was stealing. I saw the news report that he was still working there, not fired, two months after using pepper spray and dragging the lady. That news report is attached on exhibit CC.
- 107. The video linked on exhibit DD is video of a location where I worked as an Elite officer for Allied Universal. It is video of a Mi Tienda store on Little York Street in Houston. There is a white male and an African American Allied Elite officer. They are beating a man on the floor with batons and they kick him. I remember working at that location. It is in a big shopping center. I recognize the guards' uniforms in the video as the Elite Security Officer Uniform. They have the same navy uniform, with Allied badges and Allied ID cards. They also have body cameras, and the same type of Taser that the Elite officers are issued. If you look at the video closely, you can also see that both of the Allied Security officers have long beards. These are some screenshots of that video.

Document 34-1



Allied Universal: falsification of discipline and termination forms

108. After I filed my Charge of Discrimination with the EEOC, after Allied sent their Position Statement to me, and months after my case was at the EEOC, that was the first time I ever saw the discipline forms attached as exhibit EE. I was shocked when I saw them. They are completely false and fake. Patrick Freeney never once came to meet me in the field. Not once. No one ever told me that my pants were dirty. I always wore black shoes. I always took care of my uniform. Everything was clear and clean. Always washed and laundered every time. And every time I met Patrick in his office, there were never any witnesses there. I never saw the form saying I was terminated. Patrick always told me I was suspended. I would have remembered this form. I would have noticed that it looks like it has two different colored inks on it.

My name is Twana Ahmed. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my rec-Jan 21, 2025 ollection. Executed on



Ahmed Declaration Exhibit A

email scheduling interview with Allied

Confirmation with Allied Universal

From: Sam from Allied Universal (noreply@emails.allyo.com)

To: twana_202020@yahoo.com

Date: Friday, December 10, 2021 at 06:18 PM CST

Hi Twana,

Thanks for applying with Allied Universal. We are delighted to confirm that your in-person interview has been scheduled for Monday, Dec 13, 1:00PM CST. If you are unable to make the interview, please text me at (323) 214-3111 to reschedule. I will text you the morning of the interview to confirm your attendance.

Please arrive 10 minutes early, dress professionally, and bring a copy of your resume.

Interview Information

When: Monday, Dec 13, 1:00PM CST

Where: 11811 North Freeway suite 810, Houston, Tx, 77060

Interviewer Email: alana.phillips@aus.com

Position: Security Officer Armed (673342)

Additional Instructions (if applicable): No additional notes.

If you have any other questions or concerns please reach out to alana.phillips@aus.com.

Best,

Sam

Ahmed Declaration Exhibit B

blank private security form requiring country of birth

PRIVATE SECURITY

EMPLOYEE INFORMATION UPDATE APPLICATION INFORMATION Submission of an employee information update form (PSP-14) affiliates the individual with the new employer, it does not generate a new pocket

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| Applicant Social Security Number | | | Applicant Email Addre | ess | Articel |
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| Home Address | | | County | | |
| City | | State (2-Letter Code) | Zip | | Home Phone |
| Mailing Address | | | County | | |
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| I am licensed as: | Alarm System Insta Continuing Education Non-Commission Se | n Instructor | ☐ Alarm System Mor ☐ Electronic Access ☐ Personal Protectio | Control Device Installer | ☐ Commission Security Officer☐ Locksmith☐ Private Investigator |
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| I verify that the i | nformation provided i | s true and correct | , and I understand that thi led to DPS may result in cri | is is an official Governme iminal prosecution, (requi | ent record and that any false statement |
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| | Owner or Co | mpany Represent | ative Signature | 111 | Date |
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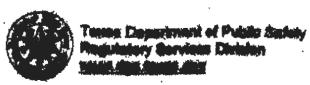
Ahmed Declaration Exhibit C

United States permanent resident card showing Iraq as country of birth

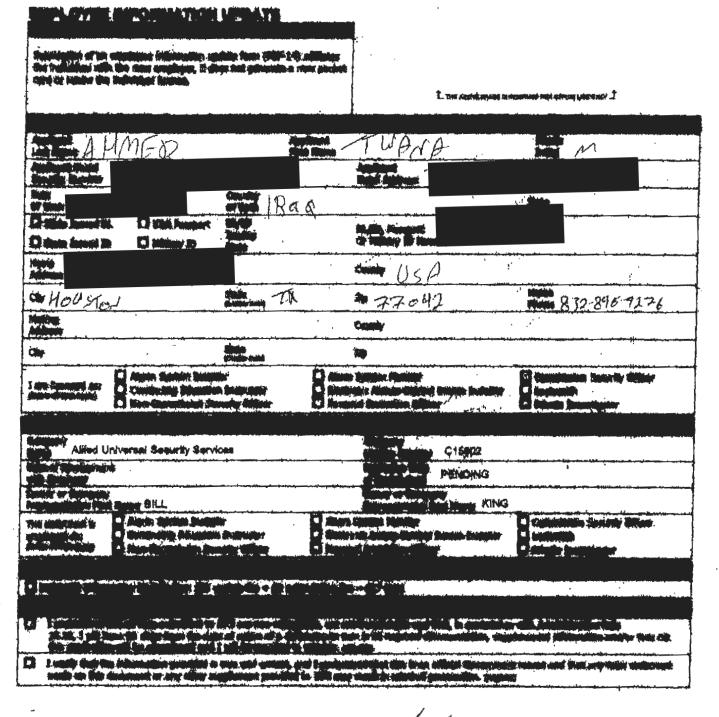


Ahmed Declaration Exhibit D

completed private security form with Iraq as country of birth



PRIVATE SECURETY



12-29-BI Wing

Ahmed Declaration Exhibit E

onboarding certificates



There for you.

This is to certify that

TWANA AHMED

has successfully completed Allied Universal Security Services'

New Employee Orientation (NEO)

AUS 00663

TRAINING CERTIFICATION

Preventing Unlawful Discrimination & Harassment



.There for you.

This form certifies that I have received training and understand the subject of Discrimination and Harassment. This training has included:

- Allied Universal's Equal Employment Opportunity (EEO) Policy against discrimination;
- Prevention of workplace discrimination;
- What constitutes "harassing" conduct;
- What the various types of sexual horassment are, as well as corrective actions to take;
- Examples of conduct which may constitute "harassment".

I understand the importance and necessity of the elimination of barassment and discrimination from the workplace.

I agree to report all instances of impermissible discrimination and harassment involving myself, or those that I know of, to the responsible management.

TRANER

Ahmed Declaration Exhibit F

picture of Ahmed with beard during training



Ahmed Declaration Exhibit G

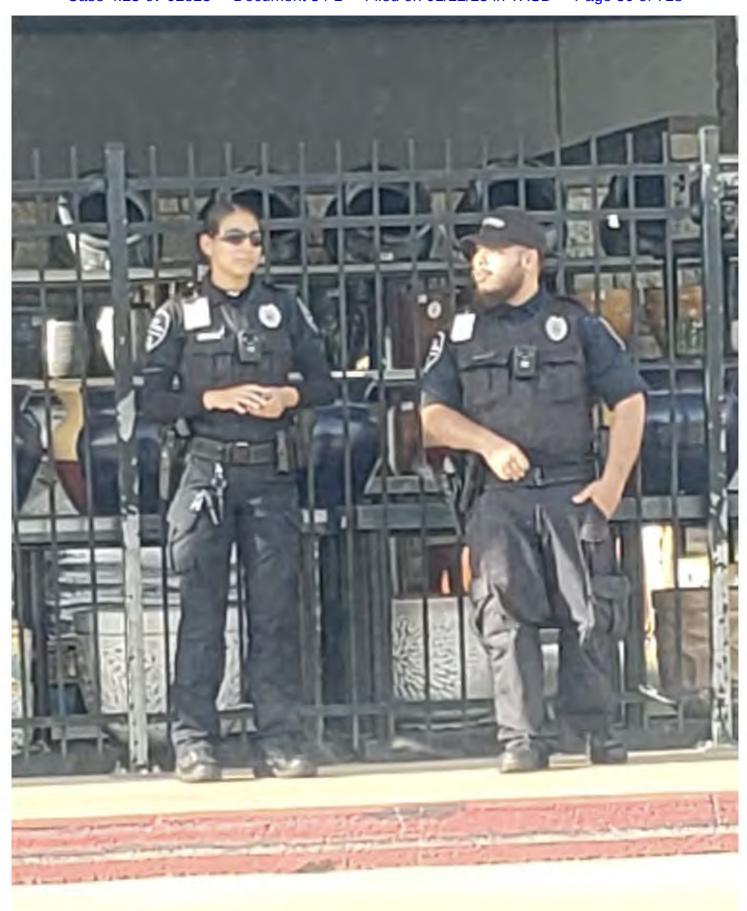
picture of some people in training class with beards



Ahmed Declaration Exhibit H

picture of Allied Elite Security Officer with beard

Case 4:23-cv-02823 Document 34-1 Filed on 01/22/25 in TXSD Page 50 of 718



Ahmed Declaration Exhibit I

onboarding identification badge receipt form



Security Professional ID Badge Receipt and Acknowledgement

| I certify and acknowled | ige the following: |
|-------------------------|--------------------|
|-------------------------|--------------------|

| • | I was issued an ID badge by the local Allied Universal Branch office on | , | |
|---|---|---|------|
| | | | Date |

- I understand I must wear and display this ID badge on my outer most garment while on duty for Allied Universal.
- I understand the ID badge must always be visible while on duty for Allied Universal.
- I understand this ID badge is the property of Allied Universal and as such must be returned to Allied Universal if my employment ends.
- I understand this ID badge is not a state Security Guard license and it is for internal Allied Universal identification purposes only.
- I understand if I am found on duty without my ID badge displayed and visible I may be subject to disciplinary action.
- I understand if I'm approached by a State Licensing Inspector I must present my Allied Universal ID badge and state license if asked to do so.

Employee signature

Tromando.

Employee's printed name

Ahmed Declaration Exhibit J

picture of correct Allied Elite Security Officer uniform

Case 4:23-cv-02823 Document 34-1 Filed on 01/22/25 in TXSD Page 54 of 718



Ahmed Declaration Exhibit K

picture of Ahmed at target qualification training



Ahmed Declaration Exhibit L

January 31, 2022 texts





Q

4

Thursday, January 20, 2022

Hi how are you? I came by to the office the other day I didn't see you at the office I really like to know why I'm having serious issues why I'm not getting paid I have not even got paid today too I really like to know what's going on please get back with me on that thank you

Read 5:45 PM

Thursday, April 21, 2022

Read 3:49 PM Hi Catherine can you give me a call at your earliest convenience











Ahmed Declaration Exhibit M

texts about working Houston Allied account with Ms. Travis



Ahmed Declaration Exhibit N

police records including picture of two men arrested due to conduct at H-E-B on March 19, 2022 Apr 21 16:16 2022

Page 1

EVENT HISTORY RECORDS

Event #: P036089122-H Time: 19-Mar-2022/15:46:14

Response Level: 0

Src: 9
Info: HEB

Phone: (832)533-1717

Address: 1800 BERING DR - SW

Contact: Business:

EVENT REMARKS

3.4 HZ 13

19-Mar-2022/15:46:141505983447 HEC053

Incident location is a Public location

TWO INTOXICATED MALE . ONE MALE IS PASSED OUT . AND ONE MALE IS ARGUING WITH SECURITY

Priority: 2

Loc: 5895 SAN FELIPE ST , HO ^77057 (HEB

Caller: MARIDETH RODRIGUEZ

Type: 2104

19-Mar-2022/15:46:35150598 HEC053

THEY ARE LOCATED AT THE ENTRANCE OF THE BUSN

19-Mar-2022/15:47:20150598 HEC053

WAS ADVISED ONE OF THE MALES ATTEMPTED TO TAKE ALCOHOL FROM BUSN

19-Mar-2022/15:48:18150598 HEC053

1) H/M WRG RED TEXAS A&M SWEATSHIRT AND JEANS ; BANDAGED HAND 2) H/M WRG BLK COAT, BLK SHIRT WITH SMILY FACE AND A BLUE JEANS

19-Mar-2022/16:30:21151721 TAC7

MAAM HAVE US ENROUTE TO MEMORIAL CITY MED CENTER

19-Mar-2022/19:23:22165539 NWDISP

MAAM HAVE US ENROUTE TO 5085 WESTHEIMER ON MEET THE FIREFIGHT URGENT PER SGT ALMASRI

EVENT SUMMARY

| Status | Status Date | Ву | At |
|--------|----------------------|--------|--------|
| | | | |
| WAI | 19-Mar-2022/15:46:14 | 150598 | HEC053 |
| DSP | 19-Mar-2022/15:47:07 | 165539 | NWDISP |
| ENR | 19-Mar-2022/15:47:07 | 165539 | NWDISP |
| ONS | 19-Mar-2022/15:51:41 | 167665 | MD6560 |
| CLS | 20-Mar-2022/00:00:11 | 167665 | MD6560 |

EVENT CHRONOLOGY

| Date/Time | Segment Name | Workstation | Description |
|---------------------|--------------|---|-------------|
| | | | |
| 0000 00 00/25 44 50 | TOGETTE | TTTTTTTTTTTTTTTTTTTTTTTTTTTTTTTTTTTTTTT | |

2022-03-19/15:44:58 LOCVER HEC053

| Apr 21 16:16 2022 | Page 2 |
|-------------------|--------|
| | |

| 2022-03-19/15:45:59 | SPI | HEC053 | (Start) |
|--------------------------------|---------|--------|--|
| 2022-03-19/15:45:59 | SPI | HEC053 | (Stmnt) Awake Now? |
| 2022-03-19/15:46:01 | SPI | HEC053 | (Select) No {FEALP2A} |
| 2022-03-19/15:46:01 | SPI | HEC053 | (Stmnt) Breathing |
| 2022 03 13,13.10.01 | D11 | 112000 | Normally? |
| 2022-03-19/15:46:02 | SPI | HEC053 | (Select) Yes {FEALAF} |
| | | | |
| 2022-03-19/15:46:02 | SPI | HEC053 | (Stmnt) Click "Accept" |
| | | | add any pertinent |
| | | | Fire/EMS |
| | | | info.(remarks),Click |
| | | | "Add Event" "EAK/OK", |
| | | | then "Continue" |
| 2022-03-19/15:46:07 | SPI | HEC053 | (Accept) FEALAI |
| 2022-03-19/15:46:08 | SPI | HEC053 | (Add Event) FEALAI |
| 2022-03-19/15:46:10 | SPI | HEC053 | (Select) |
| 2022 40 22/2012121 | | | {FEALHPDQ1B} |
| 2022-03-19/15:46:10 | SPI | HEC053 | (Stmnt) Incident |
| 2022-03-19/15:40:10 | OLI | HEC055 | location? |
| 2022 02 10/15 46 11 | CDT | UDCOFO | |
| 2022-03-19/15:46:11 | SPI | HEC053 | (Select) Incident |
| | | | location is a Public |
| Short year of the first of the | | | location {FEALAP} |
| 2022-03-19/15:46:12 | SPI | HEC053 | (Stmnt) Click "Accept" |
| | | | add any pertinent |
| | | | Police |
| | | | info.(remarks),Click |
| | | | "Add Event" "EAK/OK", |
| | | | then "Continue" |
| 2022-03-19/15:46:13 | SPI | HEC053 | (Accept) 2104 / |
| 2022-03-19/15:46:14 | ENTRY | HEC053 | (1111) |
| 2022-03-19/15:46:14 | XREF | HEC053 | #F2203190629 |
| 2022-03-19/15:46:14 | SPI | HEC053 | (Add Event) 2104 |
| 2022-03-19/15:46:14 | SPI | HEC053 | (Select) |
| 2022-03-19/15:46:15 | SPI | HECUSS | |
| | an. | | {FEALPRE} |
| 2022-03-19/15:46:16 | SPI | HEC053 | (Stmnt) For vehicle, |
| | | | suspect, or other |
| | | | information use Action |
| | | | Code "DP", then |
| | | | TRANSMIT CALL |
| 2022-03-19/15:46:31 | MISC | NWDISP | GBD (command: M) |
| 2022-03-19/15:46:35 | SUPP | HEC053 | |
| 2022-03-19/15:47:07 | DE | NWDISP | 18F44I (P) |
| 2022-03-19/15:47:07 | PRIUNIT | NWDISP | 18F44I |
| 2022-03-19/15:47:20 | SUPP | HEC053 | |
| 2022-03-19/15:48:18 | SUPP | HEC053 | |
| 2022-03-19/15:48:18 | SPI | HEC053 | (End) |
| | | | 18F44I |
| 2022-03-19/15:51:41 | ONS | MD6560 | REO CHK BY MORE THAN 2 |
| 2022-03-19/15:56:44 | MISC | NWDISP | 어린 아이를 다른 아이스 아이들이 모르게 되었다. 그렇게 되었다고 하는 모든 아이들이 되었다. 그 아이트 아이들이 되었다. |
| | 123 | | GUYS (command: M) |
| 2022-03-19/15:56:48 | DE | NWDISP | 18F20E (P) |
| 2022-03-19/15:56:57 | MISC | NWDISP | C3 (command: M) |
| | | | |

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| 2022-03-19/15:59:11 | MISC | NWDISP | 18F44I,ONE DET |
|-----------------------|--|----------|--|
| about the late of the | The second secon | | (command: M) |
| 2022-03-19/16:02:23 | OK | NWDISP | 18F44I, TIMER CLEARED |
| 2022-03-19/16:04:51 | ONS | NWDISP | 18F20E |
| 2022-03-19/16:04:54 | MISC | NWDISP | 18F20E,3 DET (command: M) |
| 2022-03-19/16:05:14 | MISC | NWDISP | 18F44I,3 IN BACK 20E HAS ONE IN BACK (command: M) |
| 2022-03-19/16:15:54 | MISC | TAC7 | 1 REL 2 STILL DET (command: M) |
| 2022-03-19/16:25:28 | OK | TAC7 | 18F20E, TIMER CLEARED |
| 2022-03-19/16:30:19 | CLOENR | TAC7 | 18F20E [MEM CITY MED] |
| 2022-03-19/16:30:19 | APND | TAC7 | 18F20E, MsgId=149937166- |
| 2022-03-19/16:30:21 | APND | IAC / | MAAM HAVE US ENROUTE TO MEMORIAL CITY MED CENTER |
| 2022-03-19/16:51:07 | ONS | MD6257 | 18F20E |
| 2022-03-19/16:55:14 | MISC | NWDISP | 18F44I, REQ UNIT W/AFIS |
| 2022 03 13, 10.33.14 | 11200 | 11112121 | (command: M) |
| 2022-03-19/16:58:20 | ASSTER | NWDISP | 18F42E (P) [5895 SAN FELIPE ST ,HO ^77057 (HEB SAN FELIPE |
| 2022 02 10/17 01 46 | OK | NWDISP | GROCERY)] 18F20E, TIMER CLEARED |
| 2022-03-19/17:01:46 | | | 18F42E |
| 2022-03-19/17:05:52 | ONS | MD7605 | |
| 2022-03-19/17:16:58 | OK | NWDISP | 18F42E, TIMER CLEARED |
| 2022-03-19/17:27:32 | CLOCX | NWDISP | 18F20E[5895 SAN FELIPE ST ,HO ^77057 (HEB SAN FELIPE GROCERY)] |
| 2022-03-19/17:39:25 | CLOCOS | MD6257 | 18F20E[5800 SAN FELIPE] |
| 2022-03-19/17:46:11 | MISC | NWDISP | 18F44I,M OUT OF OUR SHOP INTO 20E SHOP (command: M) |
| 2022-03-19/17:46:25 | TRNS | NWDISP | 18F44I[JPC,1M] |
| 2022-03-19/17:48:58 | TRNS | NWDISP | 18F20E[SOBERING CENTER,1] |
| 2022-03-19/18:05:14 | AUTPRE | NWDISP | 18F42E |
| 2022-03-19/18:10:51 | ONS | MD6560 | 18F44I |
| 2022-03-19/18:10:31 | ONS | MD6257 | 18F20E |
| | | NWDISP | 18F44I, TIMER CLEARED |
| 2022-03-19/18:25:14 | OK | | 18F20E, TIMER CLEARED |
| 2022-03-19/18:26:07 | OK | NWDISP | 18F44I,1 ARREST, 2 ORI, |
| 2022-03-19/18:58:43 | MISC | MD6560 | 2 2B WARRANTS - 18F08I NOTIFIED (command: M) |
| 2022-03-19/19:23:20 | CLOENR | NWDISP | 18F20E[5085 WESTHEIMER] |
| 2022-03-19/19:23:20 | APND | NWDISP | 18F20E, MsgId=149940210- MAAM HAVE US ENROUTE TO 5085 WESTHEIMER ON MEET THE FIREFIGHT URGENT |

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| | | | PER SGT ALMASRI |
|---------------------|--------|--------|---|
| 2022-03-19/19:29:47 | CLEAR | NWDISP | 18F20E |
| 2022-03-19/23:41:05 | CLOCOS | MD6560 | 18F44I[STATION, DEAD BWC, SCANNING DOCS] |
| 2022-03-19/23:56:31 | OK | NWDISP | 18F44I, TIMER CLEARED |
| 2022-03-20/00:00:11 | CLEAR | MD6560 | 18F44I D/ARR ,ORI X2, CHARGES X3, TB WARRANT |
| 2022-03-20/00:00:11 | CLOSE | MD6560 | X2 D/ARR |

UNIT SUMMARY

| L DOILLING | | |
|------------|---------------------|-------|
| Unit | Date/Time | Statu |
| | | |
| 18F44I | 2022-03-19/15:47:07 | DSP |
| 18F44I | 2022-03-19/15:47:07 | ENR |
| 18F44I | 2022-03-19/15:51:41 | ONS |
| 18F44I | 2022-03-19/17:46:25 | TRN |
| 18F44I | 2022-03-19/18:10:51 | ONS |
| 18F44I | 2022-03-19/23:41:05 | ONS |
| 18F44I | 2022-03-20/00:00:11 | AV |
| 18F20E | 2022-03-19/15:56:48 | DSP |
| 18F20E | 2022-03-19/15:56:48 | ENR |
| 18F20E | 2022-03-19/16:04:51 | ONS |
| 18F20E | 2022-03-19/16:30:19 | ENR |
| 18F20E | 2022-03-19/16:51:07 | ONS |
| 18F20E | 2022-03-19/17:39:25 | ONS |
| 18F20E | 2022-03-19/17:48:58 | TRN |
| 18F20E | 2022-03-19/18:14:19 | ONS |
| 18F20E | 2022-03-19/19:23:20 | ENR |
| 18F20E | 2022-03-19/19:29:47 | AV |
| 18F42E | 2022-03-19/16:58:20 | DSP |
| 18F42E | 2022-03-19/16:58:20 | ENR |
| 18F42E | 2022-03-19/17:05:52 | ONS |
| 18F42E | 2022-03-19/18:05:14 | AV |

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EVENT HISTORY RECORDS

Event #: F2203190629

Time: 19-Mar-2022/15:46:08

Response Level: 0

Src: 9

Info: HEB

Phone: (832)533-1717 Address: 1800 BERING DR - SW

Contact: Business: Priority: 7
Type: FEALA8

Loc: 5895 SAN FELIPE ST , HO ^77057 (HEB

Caller: MARIDETH RODRIGUEZ

EVENT REMARKS

19-Mar-2022/15:46:35150598 / HEC053
THEY ARE LOCATED AT THE ENTRANCE OF THE BUSN

19-Mar-2022/15:47:20150598 / HEC053
WAS ADVISED ONE OF THE MALES ATTEMPTED TO TAKE ALCOHOL FROM BUSN

19-Mar-2022/15:59:04137244 HFD057 L002 REQUESTS BLS

EVENT SUMMARY

| Status | Status Date | Ву | At |
|--------|----------------------|--------|--------|
| | | | |
| WAI | 19-Mar-2022/15:46:08 | 150598 | HEC053 |
| DSP | 19-Mar-2022/15:46:15 | 119198 | HFD059 |
| ENR | 19-Mar-2022/15:47:36 | FM1671 | MD1671 |
| ONS | 19-Mar-2022/15:52:53 | FM1671 | MD1671 |
| CLS | 19-Mar-2022/17:19:42 | FM1991 | MD1991 |

EVENT CHRONOLOGY

| Date/Time | Segment Name | Workstation | Description |
|---------------------|--------------|-------------|-----------------------|
| | | | w |
| 2022-03-19/15:44:58 | LOCVER | HEC053 | |
| 2022-03-19/15:45:59 | SPI | HEC053 | (Start) |
| 2022-03-19/15:45:59 | SPI | HEC053 | (Stmnt) Awake Now? |
| 2022-03-19/15:46:01 | SPI | HEC053 | (Select) No {FEALP2A} |
| 2022-03-19/15:46:01 | SPI | HEC053 | (Stmnt) Breathing |
| , | | | Normally? |
| 2022-03-19/15:46:02 | SPI | HEC053 | (Select) Yes {FEALAF} |
| | | | |

| Anr | 21 | 16:39 | 2022 |
|-----|----|-------|------|

| | - |
|------|---|
| Page | 4 |

| 2022-03-19/15:46:02 | SPI | HEC053 | (Stmnt) Click "Accept" add any pertinent Fire/EMS |
|----------------------|---------|-----------|--|
| | | | info.(remarks),Click |
| | | | "Add Event" "EAK/OK", |
| Anna Caranca Cara | | | then "Continue" |
| 2022-03-19/15:46:07 | SPI | HEC053 | (Accept) FEALAI |
| 2022-03-19/15:46:08 | ENTRY | HEC053 | The state of the s |
| 2022-03-19/15:46:08 | SPI | HEC053 | (Add Event) FEALAI |
| 2022-03-19/15:46:10 | SPI | HEC053 | (Select) |
| | | | {FEALHPDQ1B} |
| 2022-03-19/15:46:10 | SPI | HEC053 | (Stmnt) Incident |
| | | | location? |
| 2022-03-19/15:46:11 | SPI | HEC053 | (Select) Incident |
| | | | location is a Public |
| 1.000 0179 200 128 | | | location {FEALAP} |
| 2022-03-19/15:46:12 | SPI | HEC053 | (Stmnt) Click "Accept" |
| | | | add any pertinent |
| | | | Police |
| | | | info.(remarks),Click |
| | | | "Add Event" "EAK/OK", |
| | 500 | ********* | then "Continue" |
| 2022-03-19/15:46:13 | SPI | HEC053 | (Accept) 2104 |
| 2022-03-19/15:46:14 | SUGDEF | HFD059 | T 0 0 0 (T +) |
| 2022-03-19/15:46:14 | SUGG | HFD059 | L002(L.*) |
| 2022-03-19/15:46:14 | XREF | HEC053 | #P036089122-H |
| 2022-03-19/15:46:14 | SPI | HEC053 | (Add Event) 2104 |
| 2022-03-19/15:46:15 | DSP | HFD059 | L002 (L) ALERT RESPONSE: Station |
| 2022-03-19/15:46:15 | ALRTOK | | 2, Source IP |
| 2022 02 10/15:46:15 | CDT | HEC053 | (Select) |
| 2022-03-19/15:46:15 | SPI | HECUSS | {FEALPRE} |
| 2022-03-19/15:46:16 | SPI | HEC053 | (Stmnt) For vehicle, |
| 2022-03-19/15:46:16 | SPI | ньсоээ | suspect, or other |
| | | | information use Action |
| | | | Code "DP", then |
| | | | TRANSMIT CALL |
| 2022-03-19/15:46:35 | SUPP | HEC053 | |
| 2022-03-19/15:46:33 | SUPP | HEC053 | |
| 2022-03-19/15:47:20 | ENR | MD1671 | L002 |
| 2022-03-19/15:47:30 | NFYVIEW | HFD055 | HFD055 116262 |
| 2022-03-19/15:48:03 | SUPP | HEC053 | 111110000 11101101 |
| 2022-03-19/15:48:26 | NFYVIEW | HFD055 | HFD055 116262 |
| 2022-03-19/15:48:34 | SPI | HEC053 | (End) |
| 2022-03-19/15:52:53 | ONS | MD1671 | L002 |
| 2022-03-19/15:58:46 | CHNG | HFD057 | Priority: 5 ==> 7; Type: |
| 2022 03 13, 20.00.10 | | | FEALAI ==> |
| | | | FEALA8; TypeDescr: |
| | | | Alcohol Related |
| | | | Problem* ==> Alcohol |
| | | | |

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| | | | <pre>Related Problem;RespId: BIGA ==> FEA8;</pre> |
|---------------------|---------|--------|--|
| 2022-03-19/15:58:48 | SUGDEF | HFD057 | |
| 2022-03-19/15:58:48 | SUGG | HFD057 | A002(A.*) |
| 2022-03-19/15:58:50 | DSP | HFD057 | A002 (A) |
| 2022-03-19/15:58:50 | ALRTOK | | ALERT RESPONSE: Station 2, Source IP |
| 2022-03-19/15:59:04 | CHNG | HFD057 | Remarks Entered; |
| 2022-03-19/16:00:50 | STATUSX | | Unit A002 Status timer expired after 2 MIN |
| 2022-03-19/16:01:11 | ENR | MD1991 | A002 |
| 2022-03-19/16:01:22 | NFYVIEW | HFD055 | HFD055 116262 |
| 2022-03-19/16:05:17 | ONS | MD1991 | A002 |
| 2022-03-19/16:16:18 | AOR | MD1671 | L002 |
| 2022-03-19/16:23:56 | TRNS | MD1991 | A002[110,] |
| 2022-03-19/16:54:01 | STATUSX | | Unit A002 Status timer expired after 30 MIN |
| 2022-03-19/17:04:09 | TARR | MD1991 | A002 |
| 2022-03-19/17:19:42 | AIQ | MD1991 | A002 |
| 2022-03-19/17:19:42 | CLOSE | MD1991 | |

UNIT SUMMARY

| Unit | Date/Time | Status |
|------|---------------------|--------|
| | | |
| L002 | 2022-03-19/15:46:15 | DSP |
| L002 | 2022-03-19/15:47:36 | ENR |
| L002 | 2022-03-19/15:52:53 | ONS |
| L002 | 2022-03-19/16:16:18 | AOR |
| A002 | 2022-03-19/15:58:50 | DSP |
| A002 | 2022-03-19/16:01:11 | ENR |
| A002 | 2022-03-19/16:05:17 | ONS |
| A002 | 2022-03-19/16:23:56 | TRN |
| A002 | 2022-03-19/17:04:09 | TAR |
| A002 | 2022-03-19/17:19:42 | AIQ |
| | | |

Rodrigues, Meredith

I received a call from Allied Security stating that there was a person passed out on the sidewalk on the curbside side of the parking lotat 335pm. As I was walking outside to see about the man, ASM Jennifer and Service Admin Stephanie stopped me and stated that they stopped 2 guys from stealing beer and meat out of the main lobby door. They pointed the men out in the parking lot - one wearing a black t-shirt with a smiley face on it and black jacket, and the second with a maroon-colored A&M sweatshirt both looked to be older, Hispanic, and possibly homeless with facial hair/beards.

The man in a sweatshirt stopped to relieve himself on a customer's car and I approached him to tell him he could not be doing that and that he needed to leave. Security (still on the phone with me) rushed over to assist me, and I told him to detain the man with the smiley face t-shirt as today was the second day in a row we have caught him stealing from the store. As security walked away to detain him, the man in the sweater collapsed to the ground and Matt (ASD) told me to call to the police and ambulance. I requested Matt to see if he could find the 3rd male who was passed out by Curbside. Matt walked over there but came back and said he could not find the man and thought he probably had left.

When police showed up, Curbside partners began to call me that there was a drunk person on the ground in the parking lot by the pick-up area. Officer Chen with HPD and I went to the area and found a third older, Hispanic male, also very intoxicated on the ground - this one I recognized from the attempted theft on 3/18/22. Police arrested all three and provided Incident numbers. They attempted to steal \$342.19 of beer, wine, and meat today. Two of the three men were recognized by ASM Tykee, ASM Jennifer, and myself as having attempted to steal over \$200 of Beer and Meat from the store on 3/18/22.

Police are requesting copies of the video from today (3/19) and yesterday (3/18) so that they can pass on to the DA. Officer Chen stated that all three are being charged on multiple counts including organized crime theft, a felony theft, public intoxication, and have been trespassed.

POLICE INCIDENT #'s: 0361246-22&0360891-22

Both for Theft Unit #: 18F44I



| The state of the s | A | |
|--|--------|----------------|
| 1 VICTORIA 6PK BOTTLES ***TRAINING USE DNLY*** 2 HCF SHRED CO-JACK | T | 9.98 |
| 2 Ea. 6 1/ 5.19 ***TRAINING USE ONLY*** | F | 10.38 |
| 3 HEB NAT ANDOUTLLE SMK CHK 2 Ea. Q 1/ 5.49 | F | 10.98 |
| ***TRAINING USE ONLY*** 4 HEB CARB SENSE WHEAT FLOU ***TRAINING USE ONLY*** | F | 2.98 |
| 5 HEB BEEF VALUE PACK SMKD | | 27.00 |
| 2 Ea, @ 1/ 13,99 ***TRAINING USE ONLY*** 6 HEB RSRVE CRCKD PEPR TRKY | ۲ - | 27.98 |
| 2 Ea, @ 1/ 8.99 ***TRAINING USE ONLY*** | F | 17.98 |
| 7 SIL OAK CAB ALEX ***TRAINING USE ONLY*** | T | 79.99 |
| 8 AVALON NAPA CABERNET LTD ****TRAINING USE ONLY*** | 7 | 19.98 |
| 9 OBERON CABERNET ***TRAINING USE ONLY*** | T | 18.99 |
| 10 THE PRISONER ***TRAINING USE ONLY*** | T | 38.99 |
| 11 BUDWEISER CN 2 Ea. 0 1/ 12.98 | T | 25.96 |
| ***TRAINING USE ONLY*** 12 MODELO ESPECIAL / ***TRAINING USE ONLY*** | T | 27.98 |
| 13 BUDWEISER STCS CN ***TRAINING USE ONLY*** | T | 19.98 |
| 14 PRK FNGER RIBS VP ***TRAINING USE ONLY*** | F | 10.09 |
| ********** Sale Subtotal*** Sales Tax 19.95 | 32 | 2.24 |
| ************** Total Sale*** *** CASH | | 2.19 342.19 |
| TTENS BUDGUASED. 10 | | |

ITEMS PURCHASED: 19

Tell us how we are doing and you could WIN 1 OF 60 \$100 HEB GIFT CARDS/MONTH No purchase necessary.

See rules and take survey at www.heb.com/survey or call 1-866-583-5024 or text SURVEY to 40879 Message and data rates may apply. Odds depend on entries received. Must be 18. Ends 5/12/22. Para Espanol, visitenos por Internet a www.heb.com/survey
O llame al 1-866-583-5024
O envie un mensaie de texto con la palabra SURVEY al 40879
Pueden aplicarse tarifas de mensaies y datos.
Las probabilidades de ganar dependen de cuantas inscripciones recibamos. Tener 18 anos o mas. El sorteo se acaba 05/12/22.

RECEIPT EXPIRES ON 06-17-22 *******TRAINING USE ONLY!!*******

HEB Food-Drugs #36/587 5885 San Felipe, Houston, TX 77057 Phone: (713) 278-8450 Pharmacy: (713) 278-8474 Store Hours: 6 A.M. to 11 P.M. Your Cashier:LPS Only Training ID 877376 C3-19-22 3:46P 989/02/00687

HOUSTON POLICE DEPARTMENT

36089122

Suppl No: ORIG



Houston Police Department 1200 Travis Street Houston, Texas 77002 713-884-3131 Emergency Dial 9-1-1 Reported Date 03/19/2022

Offense Report Title
Theft - Shoplifting

Officer Name COSPER, B R

| Agency HOUSTON POLICE I | EPARTMENT | Incident # | | Suppl. No ORIG |). | Reporte 03/1 | d Date 9 / 2022 | Reported Time |
|---|--------------|-----------------------|-----------------------------|--------------------------------------|-----------|--------------|--------------------------|-------------------|
| Status Report Written o | or to Follow | | | eport Title . – Shopli | fting | | | |
| CAD Call Type 2104 | Special | Event Code | | | | | | |
| Address 5895 SAN FELIPE | ST | | | Offense County HARRIS | | City HOUS | TON | Zip Code 77057 |
| Dist/Beat Station | District | From Date | | From Time | To Date | | To Time | Primary Unit |
| 18F30 MIDW | 18 | 03/19 | /2022 | 15:46 | | | | 18F44I |
| Officer Name/Employee # COSPER, B R / 167665 | | | | Division Midwest - Evenings - Patrol | | | | |
| Second Officer Name/Employee # | | | | Division | | | | |
| CHEN, R / 166139 | | | Midwest - Evenings - Patrol | | | | | |
| Report Entered By/Employee # | | | | Division | | | | |
| COSPER, B R / 16 | 7665 | | | Midwest | - Ever | nings | - Patrol | |
| RMS Transfer | | | Property | Property Trans S | tat | | Weather | |
| Successful | | | No | Successful CLEAR | | | | |
| Esimated Loss Value \$100 to \$749 | (Class B Mis | demeanor |) | | | | | |
| Language Translator | Gang Crime | Hate Crime | 9 | Family Violence | Foster Ca | ire Fac. | Mental Illness | Metal Theft |
| NONE | NO | NO | | NO | NO | | NO | NO |
| Approval Officer/Empoloyee # COSPER, B R / 16 | 7665 | | | | | | Approval date 03/20/2022 | Approval Time |
| Offense # Offense 1 060 | Offense De | scription - Shopli | ifting | | | | Complaint | Туре |

APPENDIX 000071

HOUSTON POLICE DEPARTMENT

36089122

| Invl | Invl # | Туре | Name | MNI | PRN | Race | Sex | DOB |
|------------|--------|------|---------------------------|---------|---------|------|-----|-----|
| ARR | 1 | I | HERNANDEZ, ROBERTO | 4928959 | 6277614 | W | M | |
| Invl | Invl # | Type | Name | MNI | PRN | Race | Sex | DOB |
| CAB | 1 | В | H.E.B | 3483879 | 6277619 | | | |
| Invl | Invl # | Type | Name | MNI | PRN | Race | Sex | DOB |
| COM | 1 | I | RODRIGUEZ, MEREDITH | 1508232 | 6277620 | M | F | |
| Invl | Invl # | Type | Name | MNI | PRN | Race | Sex | DOB |
| SUS | 1 | I | CASTRO, EDWARD | 1755528 | 6277615 | W | M | |
| Invl | Invl # | Type | Name | MNI | PRN | Race | Sex | DOB |
| SUS | 2 | I | PEREZ, ELMER | 3940450 | 6277616 | M | M | |
| Invl | Invl # | Type | Name | MNI | PRN | Race | Sex | DOB |
| WIT | 2 | I | GUEVERA, JENIFER CAROLINA | 4096231 | 6277618 | M | F | |
| Invl | Invl # | Туре | Name | MNI | PRN | Race | Sex | DOB |
| ${	t WIT}$ | 1 | I | JONES, TYKEE ACORIA | 1511271 | 6277617 | В | F | |

| Property Su | ımmary |
|--|--|
| Involvement Stolen - Recovered and Returned to Owner | Description A: Y LIQUOR OTHER VICTORIA 6PK BOTTLES |
| Involvement Stolen - Recovered and Returned to Owner | Description A: Y LIQUOR OTHER SIL OAK CAB |
| Involvement Stolen - Recovered and Returned to Owner | Description A: Y LIQUOR OTHER OBERON CABERNET |
| Involvement Stolen - Recovered and Returned to Owner | Description A: Y LIQUOR OTHER AVALON NAPA CABERNET |
| Involvement Stolen - Recovered and Returned to Owner | Description A: Y LIQUOR OTHER THE PRISONER |
| Involvement Stolen - Recovered and Returned to Owner | |
| Involvement Stolen - Recovered and Returned to Owner | |
| Involvement Stolen - Recovered and Returned to Owner | |
| Involvement | Description |

36089122

| Stolen - Recovered and Returned to Owner | A: Y OTHER OTHER 2X HCF SHRED CO-JACK |
|---|---|
| Involvement | Description |
| Stolen - Recovered and Returned to Owner | A: Y OTHER OTHER 2X HEB BEEF VALUE PACK SMKD |
| Involvement | Description |
| Stolen - Recovered and Returned to Owner | A: Y OTHER OTHER 2X HEB RSRVE CRCKD PEPR TRKY |
| Involvement | Description |
| Stolen - Recovered and Returned to Owner | A: Y OTHER OTHER PRK FNGER RIBS VP |
| Involvement | Description |
| Stolen - Recovered and Returned to Owner | A: Y OTHER OTHER HEB NAT ANDOUILLE SMK CHK |
| Involvement | Description |
| Stolen - Recovered and Returned to Owner | A: Y OTHER OTHER HEB CARB SENSE WHEAT FLOU |

| Involvement | Involvement | | | | | Invl No Type | | | | Date | |
|------------------------------------|-------------|-------------------------|--------------------|---------------|----------------|-------------------|--------------------------------|----------------|-----------------|-------------|--|
| Arrested E | erson | | | | 1 Individual (| | | | 03/19 | 03/19/2022 | |
| Name (Last, First, M HERNANDEZ, | · | | | | MNI 49289 | 959 | Race White or W Hispanic | White | Sex Male | | |
| DOB | Age 55 | Hispanic Hispanic or | Latin | 0 | | | (Y) | Juvenile No | Height 5 ' 06 " | Weight 210# | |
| Hair Color Brown | | | Eye Color Brown | | | Complexi Olive | | Build Heavy | | | |
| Glasses No Glasses | Worn | | Extent of | Injury | | | | | | | |
| General Appearance | 2 | | | Hair Descript | ion | | | | | | |
| Dirty | | | | Bald | | | | | | | |
| Facial Features Facial - No | Facial Hai: | e | | | | | | | | | |
| Mark Type NONE | | Mark Code | | | MarkDescrip | otion | | | | | |
| Clothing | rt Unspecif | ind | | | | | | | | | |

| DWI Involved? | Marital Status Singled | Citizen of United Sta Citizen | tes - Ame | erican | Nationality American Nationality States) | (United |
|---------------|---------------------------|-------------------------------|-----------|-----------------|--|------------|
| Address Type | Address | add | | | | Date |
| Home | HOMELI | 255 | | | | 03/19/2022 |
| City | | State | Zip Code | Map Coordinates | | |

APPENDIX 000073

| HOUSTON | | | TX | | | | | | | | |
|---------------------------------|--|-------------------|----------------|------------|---|------------|--------------------|----------------|-------------|-------------|--|
| Phone Type Cell - Mol | oile | Phone Nu | ımber 000-0 | 000 | | | | Date 03/19/ | /2022 | | |
| E-Mail Type Other | Email none | | | | | | | | | | |
| ID Type State Issue | ed Drivers I | License | / ID | Card | Number # | | Issued By Texas | | | | |
| ID Type FBI Number | | | | | Number | | Issued By | | | | |
| ID Type State Crim. (SID) | inal Identif | Number | | | | Issued By | | | | | |
| ID Type Harris Cou | nty (SPN #) | | | | Number 001404208 | | | | Issued By | | |
| ID Type Harris Cour | nty Sheriff | 's Offi | ce # (| SO#) | Number 0671874 | | | | Issued By | | |
| ID Type State Crim. (SID) | inal Identif | fication | n Numb | er | Number | | | | Issued By | | |
| ID Type Harris Cour | nty Sheriff | 's Offic | ce # (| SO#) | Number 1644254 | | | | Issued By | | |
| Relationship Unknown | | | Name (La | | AI) | | | | | | |
| DOB | Race | | | Sex | Phone Typ | | Phone No | | | | |
| Address | | | | City | | | State | | Zip Code | | |
| Employer/School UNKNOWN | | | | | Occupation | | | | | | |
| Contact | | | | | | Employed | From | | Employed T | О | |
| Saw Susp Oper Veh | n? Susp/Pa | ss Intox. | | Susp In | Acc?/Wit Saw Acc? | | Dispo Of I | Pass | | | |
| Vic/Off Age 55 | Residence Status Resident | | Domestiv | v Violence | _ | Sexual Ass | ault | Sexual Assa | ult Injury | | |
| Involvement Arrested | Arrest Type On-View Arrest / Dispatch Arrest | Arrest Date 03/19 | | | Arrest Time Booking No Status 15:59 22-0009589 Booked | | | | _ | | |
| Disposition Misdemean | Arrest Loc or 5895 | ation SAN FE | LIPE : | ST | City HOUSTON | J | Repo | rting District | t | Beat 18 | |
| | | · = - | | | | | | | | | |
| Armed With Unarmed | | | | | Transported Unit - Tra 18F44I - 167665 | | | R | | | |
| Physical Condition Intoxicate | ed | | | | | | | | | | |
| Place of Birth El Salvado | or | | | | City of Birth OTHER | М | lultiple Cha | arges | Multip N | ole Arrests | |
| BAC Time | BAC2 Time | BAC3 | Time | Attitude | Balance | Еу | /es | Odor | | Speech | |

36089122

| 10001 | | | ··-·· | | 9, | | |
|-----------------------------|--------------|------------------------|--------------------|-------|------------------|---------|--------|
| Physical Condition INTOX | n Bre | eath | Walking | | Turning | | |
| Charge Code THEFT – MI | SDEMEANOR | Charge Theft - Miso | demeanor | | Level M | Attempt | Counts |
| Authorized By | UNASSIGNED, | Ū | Hold Dvision | | Other Booking No | | |
| Arrest Details ADA IBANE | Z TOOK CLASS | B THEFT - SHOPL | JIFTING | | | | |
| Charge Code -PROCESS- | BURG & THEFT | Charge Process For | Burglary And | Theft | Level HO | Attempt | Counts |
| Authorized By | UNASSIGNED, | U | Hold Dvision BT | | Other Booking No | | |

Arrest Details

ADA IBANEZ TOOK CLASS B THEFT - SHOPLIFTING

| Complainant - Business | / Government 1: H.E.E |
|-------------------------------|-----------------------|
|-------------------------------|-----------------------|

| Involvement | Invl No Type | Reported Date |
|-------------------------------------|--------------|---------------|
| Complainant - Business / Government | 1 Business | 03/19/2022 |
| Name | MNI | |
| H.E.B | 3483879 | |

| Address Type Work / Business | Address 5895 SAN F | ELIPE : | ST | | Date 03/19/2022 |
|---------------------------------|-----------------------|-------------|-------------------|-----------------|-----------------|
| City HOUSTON | | State TX | Zip Code 77057 | Map Coordinates | |
| E-Mail Type Other | Email NONE | | | | |

Susp In Acc?/Wit Saw Acc? Dispo Of Pass Saw Susp Oper Veh? Susp/Pass Intox.

Aggravated Homicide Victim Invl No Justifiable Homicide 1

Related Offenses Shoplifting

Type of Injury

| Com | piainant 1: RODRIGUEZ,MEREDITF |
|-----|--------------------------------|
|-----|--------------------------------|

| Involvement | | | Invl No Type | | Reported Date |
|------------------------------------|-----|----------|---------------|--------------------------------------|---------------|
| Complainar | nt | | 1 Inc | dividual | 03/19/2022 |
| Name (Last, First, M RODRIGUEZ, | • | | MNI 150823 | Race 2 White or White Hispanic | Sex Female |
| DOB | Age | Hispanic | | Juvenile | Height Weight |

40 Hispanic or Latino (Y) 5'01" No 155# Hair Color Eye Color Complexion Build

Brown Brown

Glasses Extent of Injury

Report Officer APPENDIX 000075 Printed At

10/30/2023 12:30

| | Citizen of | | Nationality | |
|---|-------------------------------|---|--|-----------------------|
| Address Type Addres Work / Business 5895 | s SAN FELIPE ST | | | Date 03/19/2022 |
| City HOUSTON | State Zip Code TX 7705 | | ates | |
| PhoneType Cell - Mobile | Phone Number (832)533-1717 | | | Date 03/19/2022 |
| E-Mail Type Email Other none | 2 | | | |
| DType State Issued Drivers | License / ID Card : | Number # | | Issued By Texas |
| IDType Social Security Numbe | r | Number | | Issued By |
| IDType Package Number | | Number 1002057 | | Issued By |
| Saw Susp Oper Veh? Susp/Pa | ass Intox. Susp In | Acc?/Wit Saw Acc? | Dispo (| Of Pass |
| Vic/Off Age Residence Status 40 Resident | Domestiv Violence | OFN_INVL | Sexual Assault | Sexual Assault Injury |
| | | | | |
| IBRS Info Victim Invl No Aggravated Homio | cide | Justifi | able Homicide | |
| Victim Invl No Aggravated Homio 1 Related Offenses Shoplifting | cide | Justifi | able Homicide | |
| Victim Invl No Aggravated Homi 1 Related Offenses Shoplifting Type of Injury | | | | |
| Victim Invl No Aggravated Homi | Suspect | | ct Involvement | |
| Victim Invl No Aggravated Homid 1 Related Offenses Shoplifting Type of Injury Vicitm Relationship to Suspect Relationship unknows | Suspect | Invi No Suspe | ct Involvement | Suspect DOB |
| Aggravated Homin 1 Related Offenses Shoplifting Type of Injury Vicitm Relationship to Suspect Relationship unknow. Suspect Name CASTRO, EDWARD Sex | Suspect | Invl No Suspe 1 Sus Race | ct Involvement | |
| Victim Invl No 1 Related Offenses Shoplifting Type of Injury Vicitm Relationship to Suspect Relationship unknow: Suspect Name CASTRO, EDWARD Sex Male Vicitm Relationship to Suspect | Suspect n Suspect | InvlNo Suspe 1 Sus Race White or | ct Involvement pect | nnic |
| Aggravated Homical Related Offenses Shoplifting Type of Injury Vicitm Relationship to Suspect Relationship unknow Suspect Name CASTRO, EDWARD Sex Male Vicitm Relationship to Suspect Relationship unknow Suspect Name CASTRO, EDWARD Sex Male Vicitm Relationship to Suspect Relationship unknow Suspect Name | Suspect n Suspect | InvlNo Suspe 1 Sus Race White or | ct Involvement pect White Hispa | nnic |
| Aggravated Homical Aggravated Homical Related Offenses Shoplifting Type of Injury Vicitm Relationship to Suspect Relationship unknow Suspect Name CASTRO, EDWARD Sex Male Vicitm Relationship to Suspect Relationship unknow Suspect Name HERNANDEZ, ROBERTO Sex | Suspect n Suspect | Race White or 1 Arr | ct Involvement pect White Hispa | anic Suspect DOB |
| Aggravated Homical Aggravated Homical Related Offenses Shoplifting Type of Injury Vicitm Relationship to Suspect Relationship unknows Suspect Name CASTRO, EDWARD Sex Male Vicitm Relationship to Suspect Relationship unknows Suspect Name HERNANDEZ, ROBERTO Sex Male Vicitm Relationship to Suspect Relationship unknows Suspect Name HERNANDEZ, ROBERTO Sex Male Vicitm Relationship to Suspect | Suspect n Suspect n | Race White or 1 Arr | ct Involvement pect White Hispa ct Involvement ested Person White Hispa ct Involvement | anic Suspect DOB |
| Victim Invl No Aggravated Homin Related Offenses Shoplifting Type of Injury Vicitm Relationship to Suspect | Suspect n Suspect n | Race White or 1 Arr Race White or 1 Arr | ct Involvement pect White Hispa ct Involvement ested Person White Hispa ct Involvement | anic Suspect DOB |

| Suspect 1: CAST | RO.ED\ | VARD | | | | | | | | |
|---|---|-------------------|----------------------|-----------------|--------------|--------------|------------------------------|--------------------|-----------------|-------------|
| Involvement | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | | | | Invl No | Туре | | | Reported | Date |
| Suspect | | | | | 1 | | vidual | | 03/19 | |
| Name (Last, First, MI) CASTRO , EDWARD | | | | | MNI 175 | 5528 | Race White or Hispanic | White | Sex Male | |
| DOB | Age 49 | Hispanic Hispa | nic or Latin | 10 | | | (Y) | Juvenile No | Height 5 ' 10 " | Weight 170‡ |
| Hair Color | | | Eye Colo | r | | Complex | xion | Build | | - |
| slack | | | Black | | | | | | | |
| Glasses | | | Extent of | Injury | | | | | | |
| DWI Involved? Marital | l Status | Citizen o | f | | | Nationa | lity | | | |
| Address Type Home | Address HOMEL | ESS | | | | | | Dat 0 3 | te 8/19/20 | 22 |
| City HOUSTON | | | State Zip Code TX | Map C | oordinates | S | | | | |
| -Mail Type Other | Email NONE | | | | | | | | | |
| DType State Issued Dr: | ivers L | icense | / ID Card # | Number | | | | Issued By Texas | | |
| DType Social Security | Number | | | Number | | | | Issued By | | |
| DType FBI Number | | | | Number | | | | Issued By | | |
| DType State Criminal : (SID) | Identif | icatio | n Number | Number | | | | Issued By | | |
| DType HPD Number | | | | Number 03100 | 066071 | .9 | Issued By | Issued By | | |
| DType Harris County (S | SPN #) | | | Number 00130 | 2167 | | Issued By | Issued By | | |
| DType Harris County Sl | heriff' | s Offi | ce # (SO#) | Number 06510 | 76 | | | Issued By | | |
| Saw Susp Oper Veh? | Susp/Pas | s Intox. | Susp In A | acc?/Wit Saw | Acc? | | Dispo Of Pass | | | |
| , 0 | nce Status ident | | Domestiv Violence | OFN_INVI | | Sexual A | ssault Sexu | al Assault Injury | | |
| Suspect 2: PERE | Z,ELME | R | | | | | | | | |
| nvolvement Suspect | | | | | Invl No 2 | Type Indi | vidual | | Reported 03/19 | |
| Name (Last, First, MI) PEREZ, ELMER | | | | | MNI 394 | 0450 | Race White or Hispanic | | Sex Male | |
| ООВ | Age 58 | Hispanic Hispa | anic or Latin | 10 | | | (Y) | Juvenile No | Height 5 ' 05 " | Weight |
| Hair Color | | | Eye Colo | r | | Complex | xion | Build | | |

| Black | | Brown | | | | | | | | | |
|-------------------------------------|------------------------------|------------------------------|----------------|-----------------|-------------|----------|--|----------------|-----------------|-------------|--|
| Glasses | | | Extent of Ir | njury | | | | | | | |
| DWI Involved? | Marital Status | Citizen of | | | | National | itv | | | | |
| DWI IIIVOIVEU: | Waritar Status | Citizen of | | | | National | icy | | | | |
| Address Type Home | Address HOMEL | ESS | | | | | | Dat 03 | e /19/20 | 22 | |
| City HOUSTON | | State TX | Zip Code | Мар С | Coordinates | 5 | | | | | |
| PhoneType Cell - Mo | bile | Phone Number (000) 000 – 0 | 000 | Date 03/19/2022 | | | | | | | |
| E-Mail Type Other | Email none | | | | | | | | | | |
| IDType Passport N | Jumber | | | Number | | | | Issued By | | | |
| ID Type Harris Cou | nty (SPN #) | | | Number 00302 | 1549 | | | Issued By | | | |
| ID Type Harris Cou | nty Sheriff's | | Number 0881467 | | | | | Issued By | | | |
| IDType FBI Number | | | | Number Issu | | | | | ssued By | | |
| Saw Susp Oper Ve | h? Susp/Pass | Intox. | Susp In Acc | :?/Wit Saw | Acc? | | Dispo Of Pass | | | | |
| Vic/Off Age 58 | Residence Status Resident | Domestiv | v Violence | OFN_INVI | | Sexual A | ssault Sexual A | ssault Injury | | | |
| Witness 1: | JONES,TYKE | E ACORIA | | | | | | | | | |
| Involvement | | | | | Invl No | Туре | | | Reported | Date | |
| Witness | | | | | 1 | Indi | Individual 03/19 | | | /2022 | |
| Name (Last, First, I JONES , TYK | MI) EE ACORIA | | | | MNI 151 | 1271 | Race Sex 271 Black, Black Femal Hispanic or African American | | | е | |
| DOB | Age 30 | Hispanic Not Hispani | .c/Latin | 10 | | | (N) | Juvenile No | Height 5 ' 08 " | Weight 200# | |
| Hair Color Eye Color Brown Brown | | | | | | | | Build | | | |
| Glasses | | | Extent of Ir | njury | | | | | | | |
| DWI Involved? | Marital Status | Citizen of | | | | National | ity | | | | |
| Address Type Home | Address 2410 | S KIRKWOOD R | D #431 | | | | | Dat 03 | e /19/20 | 22 | |
| City HOUSTON | | State TX | Zip Code | Мар С | Coordinates | 5 | | | | | |
| Address Type | Address | | | | | | | Dat | e | | |

| Work / Business | 5895 SZ | AN FELIPE S | Т | | | | 03 | 3/19/20 | 22 |
|---------------------------------|--------------------|----------------------------|-------------------|-----------------|-------------------|------------------------|--------------------|-----------------|----------------|
| City HOUSTON | | State TX | Zip Code 77057 | • | Coordinates | 5/29.749892 | | | |
| Phone Type | | Phone Number | | | | Date | | | |
| Cell - Mobile | | (281)738-0 | 700 | | | 03/ | 19/2022 | | |
| E-Mail Type Other | Email unknow | n | | | | | | | |
| IDType State Issued Dri | vers Lic | cense / ID | | Number | | | Issued By Texas | | |
| Saw Susp Oper Veh? | Susp/Pass Ir | ntox. | Susp In Acc | ?/Wit Saw | Acc? | Dispo Of Pass | | | |
| | | | | | | | | | |
| Witness 2: GUEV | ERA.JEN | IIFER CARO | LINA | | | | | | |
| Involvement | | | | | Invl No | Туре | | Reported | Date |
| Witness | | | | | 2 | Individual | | 03/19 | |
| Name (Last, First, MI) | | | | | MNI | Race | | Sex | |
| GUEVERA, JENIFER | R CAROL: | INA | | | | 6231 White or Hispanic | White | Femal | е |
| DOB | • | Hispanic Hispanic or | Latino | | | (Y) | Juvenile No | Height 5 ' 00 " | Weight 160# |
| Hair Color | | | Eye Color | | | Complexion | Build | | |
| Brown | | | Brown | | | | | | |
| DWI Involved? Marital S | Status | Citizen of | | | | Nationality | | | |
| Address Type | Address | INDIVITIES CON | | | | | Da | | 22 |
| Home | 8113 50 | JNNYHILL ST | | | | | 0.3 | 3/19/20 | <u> </u> |
| City HOUSTON | | State TX | Zip Code 77088 | Map C | Coordinates | | | | |
| Address Type Work / Business | Address 5895 SA | AN FELIPE S | Т | Date 03/19/2 | | | | | 22 |
| City HOUSTON | | | | | s 05/29.749892 | | | | |
| Phone Type Cell - Mobile | | Phone Number (832)692-7 | '890 | | | Date 0 3 / | 19/2022 | | |
| E-Mail Type Other | Email unknow | n | | | | | | | |
| ID Type State Issued Dri | vers Lic | cense / ID | | Number | | | Issued By Texas | | |
| ID Type State Issued Dri | vers Lic | cense / ID | | Number | | | Issued By Texas | | |
| Saw Susp Oper Veh? | Susp/Pass Ir | ntox. | Susp In Acc | ?/Wit Saw | Acc? | Dispo Of Pass | | | |

| Pro | erty | | | | | | | | | | |
|---|---------------------------------------|---------|------------------------|-----------------|------------------|-------------------------|--------------------|--------------------------|-----------------------|---------------|----------|
| | Involvement Stolen | | overed and Re | turned to Owner | Invl No 8001 | Invl Date 03/19/2022 | Security N | Tagged N | Tag No | | Item No |
| ype \rt: | icle | | Category Other/Item | s Not Listed | in th | e Article 1 | Vame | | | | |
| Article Liqu | or/Bee | er/Al | cohol | | | | Alcol | | | | |
| escrip | otion OAK CA | AB | | | | | | | # Pieces | Value | \$79.9 |
| | d <mark>D</mark> ate L 9 / 2 0 2 2 | 2 | Entered Time 19:23 | RMS Transfer | Control 15450 | 7 032322 | 1909 | | Reported 03/19 | date /2022 | 2 |
| Brand Other - Not In List | | | | | Model | | | | | | |
| ink OWN | Invl COM | Invl No | Name 1 RODRIGUEZ, | MEREDITH | | | | DOB | | Race W | Sex F |
| • | | | | | | Tagged N | Tag No | | Item No | | |
| vpe Art: | icle | | Category Other/Item | s Not Listed | in th | e Article 1 | Name | | | | |
| Article Liquor/Beer/Alcohol | | | | | | | Alcol | | | | |
| Description OBERON CABERNET | | | | | | | | | # Pieces Value \$18.9 | | |
| Entered Date | | | | | | 7 032322 | 1909 | | Reported 03/19 | date /2022 | 2 |
| Brand Othe | er – No | ot In | List | | Model | | | | 1 | | |
| ink Invl Invl No Name DWN COM 1 RODRIGUEZ, MEREDITH | | | | MEREDITH | | | | DOB | | Race W | Sex F |
| Prop# Involvement 3 Stolen - Recovered and Returned to Owner | | | | | Invl No 8003 | Invl Date 03/19/2022 | Security N | Tagged N | Tag No | | Item No |
| ype Art: | icle | | Category Other/Item | s Not Listed | in th | e Article 1 | Vame | | | | |
| Article Liqu | or/Bee | er/Al | cohol | | | | IBRS Type Alcol | | | | |
| Descrip AVAI | otion LON NAI | PA CA | BERNET | | | | | | # Pieces Value \$19. | | \$19.9 |
| Entered Date Entered Time RMS Transfer 03/19/2022 19:25 S | | | | | Control 15450 | 7 032322 | | Reported date 03/19/2022 | | | |
| orand Othe | er – No | ot In | List | 1 | Model | | | | 4 | | |
| ink DWN | Invl COM | Invl No | Name 1 RODRIGUEZ, | MEREDITH | A. | | | DOB | | Race W | Sex F |
| | Involvement Stolen | | overed and Re | turned to Owner | Invl No 8004 | Invl Date 03/19/2022 | Security N | Tagged N | Tag No | 4 | Item No |
| Type Art: | icle | | Category Other/Item | s Not Listed | in th | e Article 1 | Vame | | | | |
| Article | | | | | | | IBRS Type | 2 | | | |

| Liquor/Beer/A | Alcohol | | | Alcol | nol | | | |
|------------------------------------|-----------------------------------|-------------------|--------------------------------------|--------------------|--------------------------|----------------|------------------|----------|
| Description THE PRISONER | | | | | | # Pieces | Value | \$38.99 |
| Entered Date | Entered Time | RMS Transfer | Control | | | Reported date | | |
| 03/19/2022 | 19:26 | S | 154507 032322 | 1909 | | 03/19 | /2022 | 2 |
| Brand Other - Not I | In List | | Model | | | | | |
| Link Invl Invl OWN COM | No Name 1 RODRIGUEZ | ,MEREDITH | | Race W | | Sex F | | |
| Prop# Involvement 5 Stolen - Re | ecovered and Re | eturned to Owner | Invl No Invl Date 8005 03/19/2022 | Security N | Tagged N | Tag No | | Item No |
| _{Type} Article | Category Other/Item | ns Not Listed | in the Article N | Name | | | | |
| Article Liquor/Beer/ <i>I</i> | Alcohol | | | IBRS Type | | | | |
| Description 2X BUDWEISER | CN | | | | | # Pieces | Value | \$25.96 |
| Entered Date 03/19/2022 | Entered Time 19:26 | RMS Transfer | Control 154507 032322 | | Reported date 03/19/2022 | | 2 | |
| Brand Other - Not 1 | In List | Model | | | | | | |
| Link Invl Invl OWN COM | No Name 1 RODRIGUEZ | ,MEREDITH | | | DOB | | Race W | Sex F |
| Prop# Involvement 6 Stolen - Re | ecovered and Re | eturned to Owner | Invi No Invi Date 8006 03/19/2022 | Security N | Tagged N | Tag No | | Item No |
| Type Article | Category Other/Item | ns Not Listed | in the Article 1 | Name | | | | |
| Article Liquor/Beer/ <i>I</i> | Alcohol | | | IBRS Type Alcol | | | | |
| Description MODELO ESPECI | IAL | | | | # Pieces Value \$27.9 | | | |
| Entered Date 03/19/2022 | Entered Time 19:27 | RMS Transfer S | Control 154507 032322 | 1909 | | Reported 03/19 | date 9 / 2022 | 2 |
| Brand Other - Not 1 | In List | | Model | | | | | |
| Link Invl Invl OWN COM | No Name 1 RODRIGUEZ | ,MEREDITH | | | DOB | | Race W | Sex F |
| Prop# Involvement 7 Stolen - Re | Invi No Invi Date 8007 03/19/2022 | Security N | Tagged N | Tag No | | Item No | | |
| Type Article | Category Other/Item | ns Not Listed | in the Article 1 | Name | | | | |
| Article Liquor/Beer/ <i>I</i> | Alcohol | | | IBRS Type Alcol | | | | |
| Description BUDWEISER STO | CS CN | | | | | # Pieces | Value | \$19.98 |
| Entered Date 03/19/2022 | Entered Time | RMS Transfer | Control 154507 032322 | 1909 | | Reported | date 9/2022 |) |
| Brand | 17.20 | D | Model 032322 | 1 | | 03/13 | , , | <u>.</u> |

| Type Category Article Divided in the Control Owner Other Oth | 0323221 | IBRS Type | N | # Pieces Reported 0 3 / 1 9 | Value date | \$9.98 | |
|--|------------------------|---------------|--------------------------|------------------------------|---------------|----------|--|
| Article Other/Items Not Listed in the Article Liquor/Beer/Alcohol Description VICTORIA 6PK BOTTLES Entered Date Entered Time RMS Transfer Control 03/19/2022 19:12 S 154507 Brand Other - Not In List Link Invl Invl No Name OWN COM 1 RODRIGUEZ, MEREDITH Prop# Involvement 9 Stolen - Recovered and Returned to Owner 8009 (Type Category Article Other/Items Not Listed in the Article Other Item Not Listed Description 2X HCF SHRED CO-JACK Entered Date Entered Time RMS Transfer Control 03/19/2022 19:21 S 154507 Brand | 0323221 | IBRS Type | | Reported | | \$9.98 | |
| Description VICTORIA 6PK BOTTLES Entered Date Entered Time RMS Transfer Control 03/19/2022 19:12 S 154507 Brand Other - Not In List Link Invl Invl No Name OWN COM 1 RODRIGUEZ, MEREDITH Prop# Involvement 9 Stolen - Recovered and Returned to Owner 8009 (Type Category Article Other/Items Not Listed in the Article Other Item Not Listed Description 2X HCF SHRED CO-JACK Entered Date Entered Time RMS Transfer Control 03/19/2022 19:21 S Model | nvl Date | Alcoh | | Reported | | \$9.98 | |
| Entered Date Entered Time RMS Transfer Control 03/19/2022 19:12 S 154507 Brand Other - Not In List Link Invl Invl No Name OWN COM 1 RODRIGUEZ, MEREDITH Prop# Involvement 9 Stolen - Recovered and Returned to Owner 8009 (Article Other Item Not Listed In the Article Other Item Not Listed Description 2X HCF SHRED CO-JACK Entered Date Entered Time RMS Transfer Control 03/19/2022 19:21 S Model | nvl Date | .909 | | Reported | | \$9.98 | |
| Brand Other - Not In List Link Invl InvlNo Name OWN COM 1 RODRIGUEZ, MEREDITH Prop# Involvement 9 Stolen - Recovered and Returned to Owner Rotticle Other/Items Not Listed in the Article Other Item Not Listed Description 2X HCF SHRED CO-JACK Entered Date Entered Time RMS Transfer Control 03/19/2022 19:21 S Model | nvl Date | .909 | | | date | | |
| Other - Not In List Link Invl InvlNo Name OWN COM 1 RODRIGUEZ, MEREDITH Prop# Involvement 9 Stolen - Recovered and Returned to Owner 8009 (Type Category Article Other/Items Not Listed in the Article Other Item Not Listed Description 2X HCF SHRED CO-JACK Entered Date Entered Time RMS Transfer Control 03/19/2022 19:21 S Model | | | | 00, 10 | /2022 | 2 | |
| OWN COM 1 RODRIGUEZ, MEREDITH Prop# Involvement 9 Stolen - Recovered and Returned to Owner 8009 (Type Category Article Other/Items Not Listed in the Article Other Item Not Listed Other Item Not Listed Description 2X HCF SHRED CO-JACK Entered Date Entered Time RMS Transfer Control 03/19/2022 19:21 S Model | | | | | | | |
| 9 Stolen - Recovered and Returned to Owner 8009 (Type Category Article Other/Items Not Listed in the Article Other Item Not Listed Description 2X HCF SHRED CO-JACK Entered Date Entered Time RMS Transfer Control 03/19/2022 19:21 S 154507 Brand Model | | | DOB | | Race W | Sex F | |
| Article Other/Items Not Listed in the Article Other Item Not Listed Description 2X HCF SHRED CO-JACK Entered Date Entered Time RMS Transfer Control 03/19/2022 19:21 S 154507 Brand Model | | | | | | | |
| Other Item Not Listed Description 2X HCF SHRED CO-JACK Entered Date Entered Time RMS Transfer Control 03/19/2022 19:21 S 154507 Brand Model | Article N | ame | | | | | |
| 2X HCF SHRED CO-JACK Entered Date Entered Time RMS Transfer Control 03/19/2022 19:21 S 154507 Brand Model | | Other | | | | | |
| 03/19/2022 19:21 S 154507 Brand Model | · | | | | | | |
| | 0323221 | .909 | Reported date 03/19/2022 | | | | |
| Other - Not In List | | | | | | | |
| Link Invl Invl No Name OWN COM 1 RODRIGUEZ, MEREDITH | DOB | | | | Race W | Sex F | |
| Prop# Involvement Invl No I 10 Stolen - Recovered and Returned to Owner 8010 (| nvl Date 03/19/2022 | Security N | Tagged N | Tag No | | Item No | |
| Type Category Article Other/Items Not Listed in the | Article N | ame | | | | | |
| Article Other Item Not Listed | | Other | • | | | | |
| Description 2X HEB BEEF VALUE PACK SMKD | | | # Pieces Value \$27.9 | | | \$27.98 | |
| Entered Date Entered Time RMS Transfer Control 03/19/2022 19:21 S 154507 | .909 | | Reported 03/19 | date 9/2022 | 2 | | |
| Brand Other - Not In List | | | | | | | |
| Link Invl Invl No Name OWN COM 1 RODRIGUEZ, MEREDITH | | | DOB | | Race W | Sex F | |
| Prop# Involvement InviNo I 11 Stolen - Recovered and Returned to Owner 8011 (| | Security N | Tagged N | Tag No | | Item No | |

| Article Other Item Not | Listed | | | Other | | | | |
|--------------------------------------|-------------------------|-------------------|--------------------------------------|---------------|-------------|----------------|-----------|----------|
| Description 2X HEB RSRVE (| CRCKD PEPR TI | RKY | | | | # Pieces | Value | \$17.98 |
| Entered Date 03/19/2022 | Entered Time 19:22 | RMS Transfer | Control 154507 032322 | 1909 | | Reported 03/19 | | 2 |
| Brand Other - Not Ir | n List | | Model | | | | | |
| Link Invl Invl No | Name 1 RODRIGUEZ,M | IEREDITH | | | DOB | | Race W | Sex F |
| Prop# Involvement 12 Stolen - Rec | overed and Ret | urned to Owner | Invl No Invl Date 8012 03/19/2022 | Security N | Tagged N | Tag No | | Item No |
| Type Article | Category Other/Items | Not Listed | in the Article | Name | | | | |
| Article Other Item Not Listed Other | | | | | | | | |
| Description PRK FNGER RIBS | S VP | | | | | # Pieces | Value | \$10.09 |
| Entered Date 03/19/2022 | Entered Time 19:28 | RMS Transfer S | S Transfer Control 154507 0323221909 | | | | | 2 |
| Brand Other - Not Ir | n List | | Model | | | | | |
| Link Invl Invl No | Name 1 RODRIGUEZ,M | EREDITH | | | DOB | | Race W | Sex F |
| Prop# Involvement 13 Stolen - Rec | overed and Ret | urned to Owner | Invl No Invl Date 8013 03/19/2022 | Security N | Tagged N | Tag No | | Item No |
| Type Article | Category Other/Items | Not Listed | in the Article | Name | | | | |
| Article Other Item Not | Listed | | | Other | | | | |
| Description HEB NAT ANDOUL | ILLE SMK CHK | | | | | # Pieces | Value | \$10.38 |
| Entered Date 03/19/2022 | Entered Time 21:28 | RMS Transfer | Control 154507 032322 | 1909 | | Reported 03/19 | | 2 |
| Brand Other - Not Ir | n List | | Model | | | | | |
| Prop# Involvement 14 Stolen - Rec | overed and Ret | urned to Owner | Invl No Invl Date 8014 03/19/2022 | Security N | Tagged N | Tag No | | Item No |
| | Category | Not Listed | in the Article | Name | | | | |
| Туре | Other/Items | nee Erbeea | | | | | | |
| Type Article Article | | 1100 212000 | | Other | | | | |
| Type Article | Listed | nee Effect | | | | # Pieces | Value | \$2.98 |

36089122

Other - Not In List

All Property Notes

Modus Operandi

Gang Act Gang Name

Property Targetd

Entry Location

Arson Inhabited

Alarm

Victim's Sex

Theft Type

Victim's Race

Shoplifting

Oddity

Premise Type

Grocery Store or Supermarket

Hate Crime Date

Cargo Theft

Body Worn Video

Body Video Not Reviewed

Victim's Age Group

Brief Incident Summary

Dispatched to a Person Down

Theft - Shoplifting

- 3 Suspects/1 Arrest 1 TO-BE Warrant
- 1 Suspect transported to Sobering Center

ORI Generated

Incident Narrative

ALL BWCs ON SCENE:

==============

B COSPER 167665 - 18F44I

R CHEN 166139 - 18F44I

S COUGHLIN 168141 - 18F20E

A GONZALEZ 154578 - 18F20E

W DIAZ 164489 - 18F42E

INTRODUCTION:

==========

I, Officer Cosper, riding with Officer Chen as 18F44I on 03/19/2022 was dispatched to a call for service reporting a Person Down at 5895 SAN FELIPE ST. Officers were dispatched at 1547hrs and arrived on scene at 1551hrs.

Body Worn Cameras were recording and were not reviewed. Report generated from memory.

COMPLAINANT STATEMENTS:

H.E.B Store 36

RODRIGUEZ, MEREDITH

Ms. Rodriguez is the store manager. She was informed by her staff that the suspects who stole around \$200 worth of items had returned to the store today. She met with the suspects outside in the parking lot, and observed Suspect #2 approaching parked vehicles and attempting to urinate on them. She stopped Suspect #2, who proceeded to pass out on

Report Officer

APPENDIX 000084

Printed At

10/30/2023 12:30

AhmedAllied000516 17

36089122

the ground. Ms. Rodriguez recognizes the suspects by their clothing, particularly the smiley face on Suspect #1's t-shirt. Ms. Rodriguez wants to press charges against the suspects and give them a criminal trespass warning.

WITNESS STATEMENTS:

WITNESS #1: JONES, TYKEE ACORIA

Ms. Jones stated that she was standing near the entrance of the store and recognized the suspect as the same guy from yesterday from his elderly and intoxicated appearance and walked with the same gait. She approached the suspect to take his cart of items away at the entrance.

WITNESS #2: GUEVERA, JENIFER CAROLINA

Ms. Guevera stated she saw the suspect wandering around the general hall carrying high value items, and recognized him by his maroon colored jacket and general features since she had approached the suspect yesterday to take away his basket at the front entrance.

REPORTEE STATEMENT:

SAME AS COMPL

OFFICER'S PARAGRAPH/SCENE DESCRIPTION:

5895 SAN FELIPE ST a HEB Grocery store located on the south side of the road.

Officers observed Suspect 1 (HERNANDEZ,ROBERTO) to be visibly intoxicated near a customer's vehicle around the center of the parking lot. While detained on scene the suspect fell asleep due to his intoxication.

Suspect 2 (CASTRO, EDWARD) was observed laying on his back next to a customer's vehicle in the same aisle as Suspect 1, closer to the entrance of the grocery store. He was observed to be highly intoxicated and unable to respond to questions, and had to be transported by HFD to the hospital for his intoxication and prior injury to his hand.

Suspect 3 (PEREZ,ELMER) was observed sitting on the floor leaning against the metal bar inside a shopping cart return, who appeared to be highly intoxicated and was unable to provide any identification. Suspect 3 was initially non-compliant but no use of force was utilized while detaining him. While detained on scene, the suspect urinated in the back seat of the patrol vehicle and proceeded to fall asleep due to his intoxication.

From the security footage for today's incident, Officer R. Chen observed Suspect 1 and 2 enter the store around 1530 hours. From another camera angle, Suspect 1, who was identified by his black jacket and black shirt with a large yellow smiley face, was observed walking down the wine aisle and loading his cart with several bottles of wine. Suspect 2, who is identified by his red hoodie, was observed putting meats and beer into the cart. Around 1541 hours, Suspect 1 was observed leaving the store while Suspect 2 pushed the cart past the registers and was approached by the witnesses. Suspect 2 leaves the cart with the witnesses and was observed walking into the parking lot.

In the security footage for yesterday's incident, I observed Suspect 1 wearing his black shirt with large yellow smiley face and a black hat inside the store with Suspect 3, who was wearing a red long sleeved shirt and blue pants. Suspect 3 was observed pushing the cart past the point of sale and attempting to push the cart out of the store, which had locked up due to its anti-theft mechanism, before being approached by the witnesses who

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pull the cart away from him. Suspect 3 leaves the store and meets with Suspect 1 in the parking lot, where they proceed to leave the parking lot in a silver sedan. The sedan was parked in the same area as where Suspect 3 was found laying outside today, but the vehicle was not observed on scene during today's incident. None of the Suspects today had car keys in their possession.

OFFICER'S ACTIONS:

===========

Officers arrived on scene and were led by the Complainant to the two initial Suspects in the parking lot. While we were with the Suspects, the Complainant advised a third Suspect was also on scene and was involved in yesterday's theft. We requested for another unit to assist, and Officer A. Gonzalez and Officer S. Coughlin riding Unit 18F20E arrived to the scene. Two Suspects were detained while one suspect was transported to Memorial Herman Memorial City by Ambulance 02 with Unit 18F20E following up at the hospital.

Officers were advised that two of the men detained had stolen merchandise from the store the day before (03/18/2022). Officer Chen reviewed security footage after speaking with the complainant and witnesses. Officer W. Diaz riding Unit 18F42E later arrived on scene to assist with identifying Suspect #2. After reviewing security footage and gathering statements, Officer Chen called DA Intake and spoke to ADA Ibanez who, hearing the facts of the case approved the filling of a to-be warrant on PEREZ,ELMER due to the offense occurring over 24 hours in the past, a to-be warrant on CASTRO, EDWARD due to his hospitalization and non-violent felony, and a Class B theft for HERNANDEZ, ROBERTO.

Unit 18F20E transported PEREZ, ELMER to the Sobering Center after being released on scene. Officers provided the complainant with a case number and verbal instructions to call the HPD Non-Emergency Number when they are able to download security footage of the theft. We transported HERNANDEZ, ROBERTO to the Joint Processing Center for his charge, and completed this ORI and a to-be warrant for CASTRO, EDWARD and PEREZ, ELMER.

JPC Sgt Pect reviewed charges.

DISPOSITION:

========

Dispatched to a Person Down

Theft - Shoplifting

3 Suspects/1 Arrest - 1 TO-BE Warrant

1 Suspect transported to Sobering Center

ORI Generated

SB111 Completed

Itemized receipt scanned into Intellinetics

CASTRO, EDWARD

hospitalized at Memorial Hermann Memorial City Hospital.

Room 8

Charge nurse: Victoria

Primary doctor: Dr. Calderon

SUSPECT STATEMENTS:

==============

SUS #1: HERNANDEZ, ROBERTO - ARRESTED, THEFT CLASS B

-NO STATEMENT

SUS #2: CASTRO, EDWARD - TRANSPORTED TO MEMORIAL HERMAN MEMORIAL CITY, TO BE WARRANT FILED, THEFT 2+ CONVICTIONS

- NO STATEMENT

Report Officer 167665

Printed At

36089122

SUS #3: PEREZ, ELMER - TRANSPORTED TO SOBERING CENTER

-NO STATEMENT

VICTORIA 6PK BOTTLES - 9.98

2X HCF SHRED CO-JACK - 10.38

2X HEB BEEF VALUE PACK SMKD - 27.98

HEB CARB SENSE WHEAT FLOU - 2.98

HEB NAT ANDOUILLE SMK CHK - 10.98

2X HEB RSRVE CRCKD PEPR TRKY - 17.98

SIL OAK CAB - 79.99

OBERON CABERNET - 18.99

AVALON NAPA CABERNET - 19.98

THE PRISONER - 38.99

2X BUDWEISER CN - 25.96

MODELO ESPECIAL - 27.98

BUDWEISER STCS CN - 19.98

PRK FNGER RIBS VP - 10.09

TOTAL - 322.24

36089122

Suppl No: 0001



Houston Police Department 1200 Travis Street Houston, Texas 77002 713-884-3131 Emergency Dial 9-1-1 Reported Date 03/19/2022

Offense Report Title Theft - Shoplifting

Officer Name GONZALEZ, A

| Agency | | | Incident # | | Suppl. No | • | Reported I | | Reported Time | |
|-----------------------|-------------------------|-----------|--------------------|----------|-----------------------------|-----------|---------------|----------------|-------------------|--|
| HOUSTON | POLICE DEPAR | TMENT | 360891-22 | | 0001 | | 03/19 | /2022 | 19:10 | |
| Status Report V | Vritten or to | Follow | | | eport Title . – Shopli | fting | | | | |
| CAD Call Type 2104 | | Special E | Special Event Code | | | | | | | |
| Address 5895 SA1 | N FELIPE ST | | | | Offense County | | City HOUST | ON | Zip Code 77057 | |
| Dist/Beat | Station | District | From Date | 9 | From Time | To Date | | To Time | Primary Unit | |
| 18F30 | MIDW | 18 | 03/19 | /2022 | 15:46 | | | | | |
| Officer Name/E | mployee # | | | | Division | | | | | |
| GONZALEZ, A / 154578 | | | | Midwest | | | | | | |
| Second Officer | Name/Employee # | | | | Division | | | | | |
| COUGHLI | N, S J / 1681 | 41 | | | Midwest | | | | | |
| Report Entered | By/Employee # | | | | Division | | | | | |
| GONZALE | Z, A / 154578 | | | | Midwest | | | | | |
| RMS Transfer | | | | Property | Property Trans Stat Weather | | | | | |
| Successi | Tul | | | No | Successful | | | | | |
| Esimated Loss \ | /alue | | | | | | | | | |
| Language Trans | slator Gan _l | g Crime | Hate Crim | e | Family Violence | Foster Ca | re Fac. | Mental Illness | Metal Theft | |
| Approval Office | er/Empoloyee # | | | | | - | | Approval date | Approval Time | |
| | z, A / 154578 | | | | | | | 03/19/2022 | 10.24 | |

| Modus Operand | li | | | | | |
|-----------------------------|-------------|-------------------------------|--------------|----------|--------|--------------------|
| Gang Act Gang Name ${ m N}$ | | | Victim's Sex | Victim's | Race | |
| Entry Location | | Arson Inhabited | Alarm | | Oddity | |
| Hate Crime Date | Cargo Theft | Body Worn Video Body Video | Not Revie | ewed | | Victim's Age Group |

Brief Incident Summary

See narrative

Incident Narrative

36089122

I Officer Coughlin and Officer Gonzalez wrote this supplement from memory and did not review our BWC footage while writing this report.

BWC ON SCENE:

=========

- S. Coughlin 168141
- A. Gonzalez 154578
- B. Cosper 167665
- R. Chen 166139
- W. Diaz 164489

I Officer Coughlin and Officer Gonzalez riding marked unit #18F20E on 03/19/2022 at 1556 hours were dispatched to assist Primary unit #18F44I on a Person Down call located at 5895 San Felipe at the HEB. We arrived on scene at 1604 hours. Primary unit #18F44I had two males detained at the moment and we made contact with a third suspect/individual Edward Castro

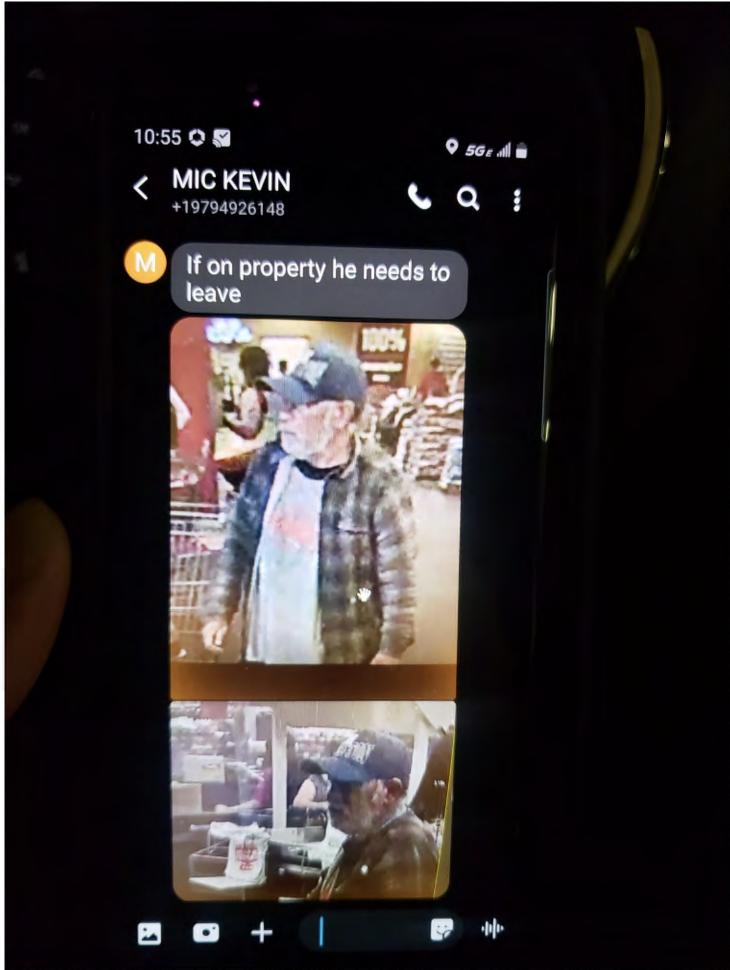
The suspect Edward Castro was observed laying on the ground being treated by HFD. The suspect was intoxicated and HFD A002 began transport to Memorial City Memorial Hermann Hospital. Officer Coughlin and Gonzalez went to the hospital to determine the Doctor and hospital bed the suspect was staying in. The primary unit determined that filing a 2B Warrant was sufficient and that we did not need to sit on the suspect for Felony Theft Charges.

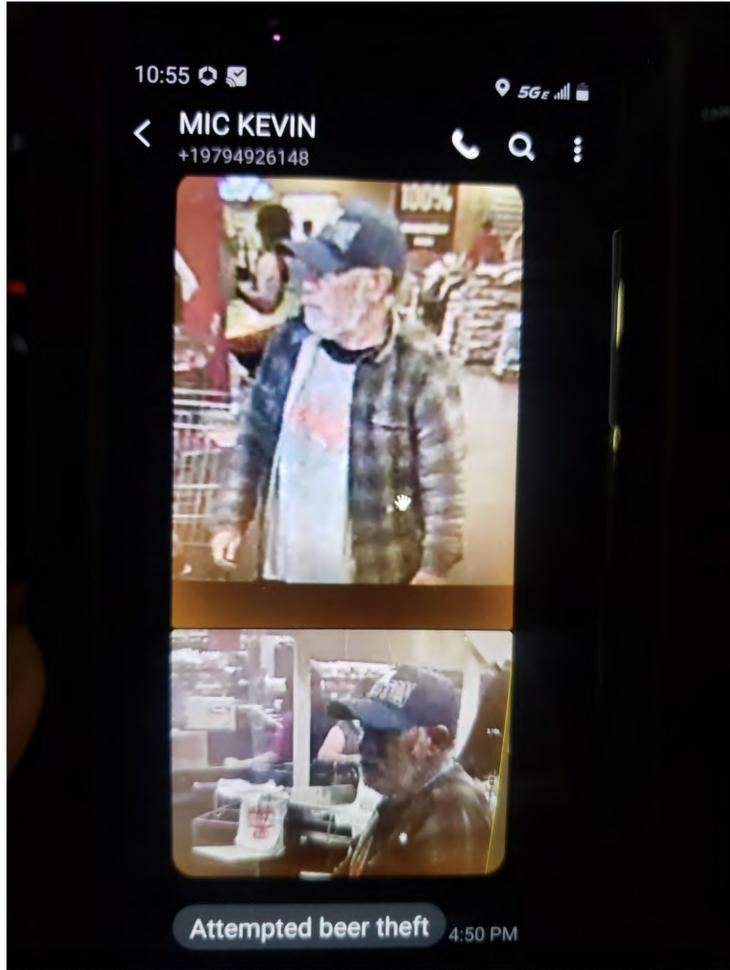
We then left the scene and met back with Primary Unit #18F44I and Officer Diaz 18F42E at the scene location 5895 San Felipe Street. We took custody of another suspect Elmer Perez and transported him to the Sobering Center located at 150 N Chenevert in Houston TX 77002 at 1748 hours and arrived at 1814 hours. 2B Warrant will be filed for this suspect at a later date by 18F44I.

End of supplement

Ahmed Declaration Exhibit O

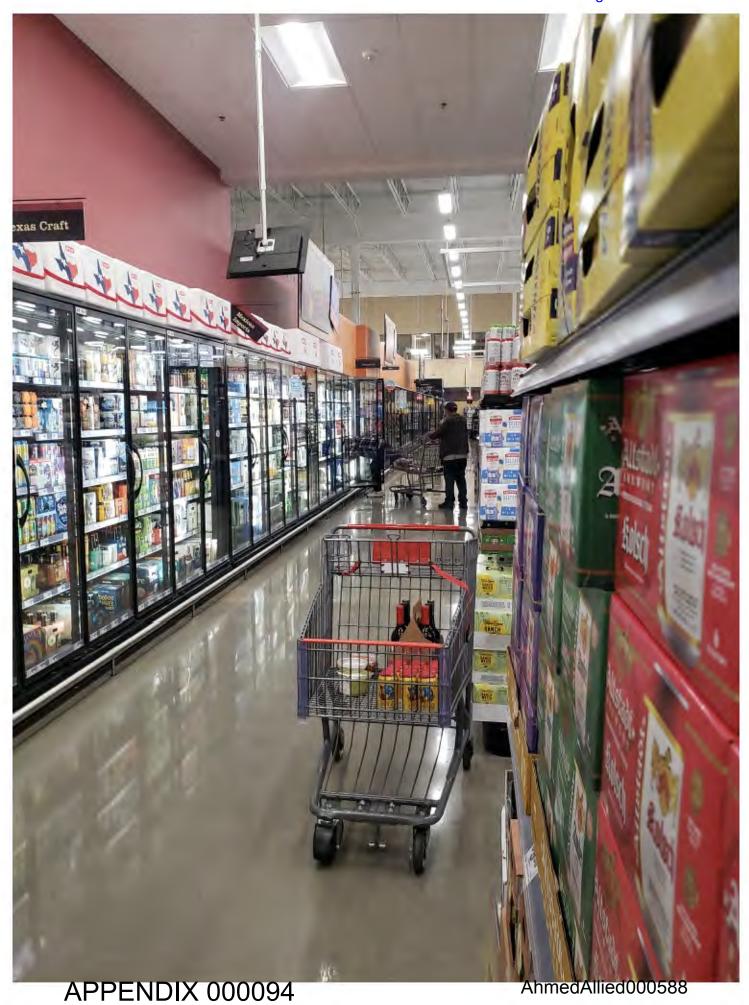
texts including picture of man about whom H-E-B manager is claiming theft and other problems on April 4, 2022 — one of the same two arrested due to conduct at H-E-B on March 19, 2022





Ahmed Declaration Exhibit P

pictures of two men about whom H-E-B manager is claiming theft and other problems on April 4, 2022 — the same two arrested due to conduct at H-E-B on March 19, 2022



Ahmed Declaration Exhibit Q

phone notes about April 4, 2022 incident

April 4, 2022 Store number 738

HEB MIC Kevin

I texted me on my post side phone about couple guys they are attempted to steal merchandise from the store he said he already kicked them out of the store they might come back again he called me back few minutes later he said they are back in the store

Can you come inside the store to keep your eyes on them

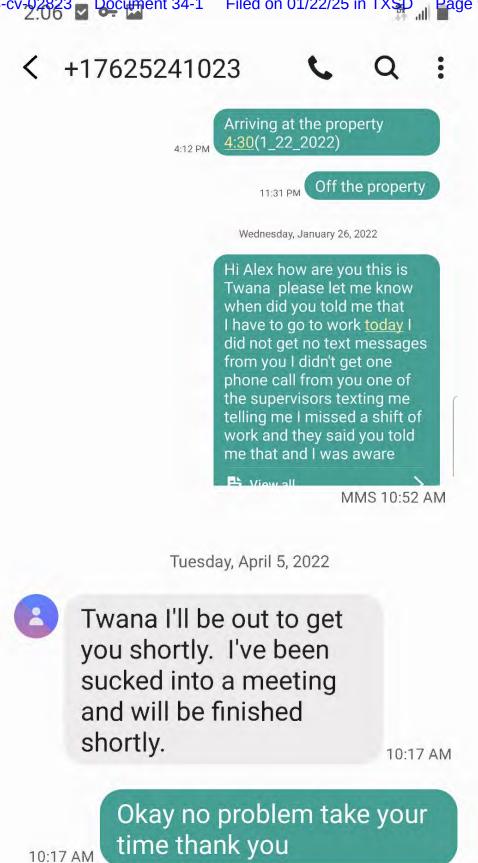
I went back inside the store they had a basket of full of alcohol in beer

They went around the cashier not paying recognize the suspects from other HEB store with organized theft which is they been arrested multiple times for the same issue and they are not allowed to come back to H-E-B property at all after when he went around the kiss year and did not want to pay for the merchandise I observe a knife on his site he was very drunk intoxicated after when I approached him I handcuffed him for safety issue he might harm somebody so he can get away Hermie customer or employee the suspect has been violent before and different store so I recognized him very well after that the police department came and they arrested them and took him off the property

Last modified: Apr 4, 2022

Ahmed Declaration Exhibit R

screen shot of April 5, 2022 [next day] text from Patrick Freeney





Ahmed Declaration Exhibit S

April 11, 2022 email produced from Allied without date

From: "Barnes, Catherine" < Catherine. Barnes@aus.com>

To: "twana_202020@yahoo.com" <twana_202020@yahoo.com>

Cc: "Freeney, Patrick" < Patrick. Freeney@aus.com>

Sent: Mon, Apr 11, 2022 at 6:00 PM

Subject: Allied Universal Security License

Good evening Ahmed,

We are emailing you due to missing documents needed for your security license affiliation, please complete the attachment by completing the applicant information section, acknowledgments, sign and date and return asap.

Best regards,

Catherine Barnes

Human Resources Coordinator

Allied Universal

11811 North Freeway | Suite #810 | Houston, TX 77060

W: 832-786-3911 | catherine.barnes@aus.com License # C15802



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From: <u>Barnes, Catherine</u>

To: <u>twana 202020@yahoo.com</u>

High

Cc: <u>Freeney, Patrick</u>

Subject: Allied Universal Security License

Attachments: imaqe001.pnq EIU App.pdf

Good evening Ahmed,

We are emailing you due to missing documents needed for your security license affiliation, please complete the attachment by completing the applicant information section, acknowledgments, sign and date and return asap.

Best regards,

Importance:

Catherine Barnes

Human Resources Coordinator

Allied Universal

11811 North Freeway | Suite #810 | Houston, TX 77060

W: 832-786-3911 | catherine.barnes@aus.com

License # C15802



PRIVATE SECURITY

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| Applicant Last Name | | Applicar First Na | | Middle Initial |
| Applicant Social Security Number | | | Applicant Email Address | |
| Date Of Birth | | Country Of Birth | | State |
| | USA Passport Military ID | DL/ID Issuing State | DL/ID, Passport Or Military ID Number | |
| Home Address | | | County | , |
| City | | State (2-Letter Code) | Zip | Home Phone |
| Mailing Address | | | County | |
| City | | State (2-Letter Code) | Zip | |
| I am licensed as: | Alarm System Insta Continuing Educatio Non-Commission Se | on Instructor | Alarm System Monitor Electronic Access Control Device Installer Personal Protection Officer | ☐ Commission Security Officer ☐ Locksmith ☐ Private Investigator |
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| ACKNOWLEDGEMEN | VTS | | | |
| 35.23, I will have 9 | 0 days from the da | | are not transferable and that, in accorda cy to turn in all required documentation, si pply. (required) | |
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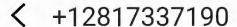
PSP-14

Revised 08-2020

Owner or Company Representative Signature

Ahmed Declaration Exhibit T

April 21, 2022 text requesting call with human resources







:

Thursday, January 20, 2022

Hi how are you? I came by to the office the other day I didn't see you at the office I really like to know why I'm having serious issues why I'm not getting paid I have not even got paid today too I really like to know what's going on please get back with me on that thank you

Read 5:45 PM

Thursday, April 21, 2022

Hi Catherine can you

give me a call at your earliest convenience











Ahmed Declaration Exhibit U

April 25, 2022 email reporting discrimination

From: Twana Kaka on behalf of Twana Kaka <twana 202020@yahoo.com>

To: Catherine.Barnes@aus.com Subject: Re: Allied Universal Security License Monday, April 25, 2022 2:55:51 PM

Attachments: image001.png

Hello Katherine this is Officer Ahmed I'm replying to your message in regards to this form I have completed this form 3 times previously I've filled it two times with you personally and once at the event at the hotel when I got hired. I wanted to let you know because I feel as though I am being discriminated against and I have been on suspension for over 2 week. I performed my duties to the best of my ability I did nothing wrong and have been under suspension for two weeks now.

I have been targeted by the account manager he has been rude to me he has stated to me Racial slurs and threatened me I have been silent under the risk of losing my job. He has pulled me into office doors closing the door behind them and threaten me on the property he said he will (fry) me and to go back to my country and that there is a certain way things go in this country not where I'm from he said. I am not aware if he has had problems with other Muslim employees but he has made it clear to me that he has a problem with me.

He made me shave my beard even after I told him I have to keep it for religious purposes and most recently he stated to me that he was going to make sure I get my license taken away from me and I'll never be able to work security for the rest of my life why he is threatening me like that I really don't know.

I've never missed a day I've never called in sick I have been a good employee and have considered the interests of the property and this company. I can't even get another job because I don't know if I'll lose this one. I do not want to leave this company it has treated me well other than patricks racism I wish to continue working for this company.

Please Catherine give me call back at your earliest convenience thank you.

On Mon, Apr 11, 2022 at 6:00 PM, Barnes, Catherine <Catherine.Barnes@aus.com> wrote:

Good evening Ahmed,

We are emailing you due to missing documents needed for your security license affiliation, please complete the attachment by completing the applicant information section, acknowledgments, sign and date and return asap.

Best regards,

Ahmed Declaration Exhibit V

Early May 2022 emails with human resources

Allied Universal

11811 North Freeway | Suite #810 | Houston, TX 77060

W: 832-786-3911 | catherine.barnes@aus.com License # C15802



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From: Twana Kaka twana_202020@yahoo.com>

Sent: Friday, May 6, 2022 6:08 PM

To: Barnes, Catherine < catherine.barnes@aus.com>

Subject:

Email from: twana_202020@yahoo.com

DO NOT click links or open attachments unless you recognize the sender AND know the content is safe. If you suspect this is phishing, please forward to phish@aus.com and then delete.

Hi Catherine I've sent you a few emails and text messages could you please respond your the only one that can solve my issue as hr. But your not communicating with me it's been 2 weeks

Allied Universal

11811 North Freeway I Suite #810 I Houston, TX 77060

W: 832-786-3911 | catherine.barnes@aus.com



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From: Twana Kaka <twana_202020@yahoo.com>

Sent: Friday, May 6, 2022 6:08 PM

To: Barnes, Catherine < catherine.barnes@aus.com>

Subject:

Email from: twana_202020@yahoo.com

DO NOT click links or open attachments unless you recognize the sender AND know the content is safe. If you suspect this is phishing, please forward to phish@aus.com and then delete.

Hi Catherine I've sent you a few emails and text messages could you please respond your the only one that can solve my issue as hr. But your not communicating with me it's been 2 weeks From: "Twana Kaka" <twana 202020@yahoo.com>

To: "Catherine.Barnes@aus.com" < Catherine.Barnes@aus.com>

Sent: Mon, May 16, 2022 at 2:52 PM

Subject: RE: RE:

I would like to know what's my employer status am I still been employed by Ally universal or am I being fired or am I being suspended I would just like to know what's going on nobody is answering that question can you please check for me and find out

On Thu, May 12, 2022 at 8:11 AM, Barnes, Catherine <Catherine.Barnes@aus.com> wrote:

Good morning,

No I do not.

Best regards,
Catherine Barnes
Human Resources Coordinator
Allied Universal
11811 North Freeway | Suite #810 | Houston, TX 77060
W: 832-786-3911 | catherine.barnes@aus.com
License # C15802



From: Twana Kaka <twana_202020@yahoo.com>

Sent: Wednesday, May 11, 2022 7:47 PM

To: Barnes, Catherine < Catherine. Barnes@aus.com>

Subject: RE: RE:

Thank you for your response but why cant I receive information from don't you handle employee affairs and take complaints?

This e-mail transmission and any documents files or previous e-mail messages attached to it are confidential and are protected by the attorney-client privilege and/or work product doctrine. Any and all rights to confidentiality and privilege are not waived and are hereby specifically preserved. If you are not the intended recipient or a person responsible for delivering it to the intended recipient you are hereby notified that any review disclosure retention copying dissemination distribution or use of any of the information contained in or attached to this e-mail transmission is STR CTLY PROH B TED. If you have received this transmission in error please immediately notify me by return email or by telephone at the above number and delete the original message.

Ahmed Declaration Exhibit W

May 16, 2022 email to human resources about status

From: Subject: Barnes, Catherine

Date: Attachments: image001.png Monday, May 16, 2022 2:52:34 PM

answering that question can you please check for me and find out am I being fired or am I being suspended I would just like to know what's going on nobody is I would like to know what's my employer status am I still been employed by Ally universal or

On Thu, May 12, 2022 at 8:11 AM, Barnes, Catherine <Catherine.Barnes@aus.com> wrote:

Good morning,

No I do not.

Best regards,

Catherine Barnes

Human Resources Coordinator

Allied Universal

11811 North Freeway | Suite #810 | Houston, TX 77060

W: 832-786-3911 | catherine.barnes@aus.com

License # C15802

From: Twana Kaka <twana_ _202020@yahoo.com>

To: Barnes, Catherine < Catherine. Barnes@aus.com> Sent: Wednesday, May 11, 2022 7:47 PM

Subject: RE: RE:

employee affairs and take complaints? Thank you for your response but why cant I receive information from don't you handle

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On Tue, May 10, 2022 at 8:01 AM, Barnes, Catherine

<<u>Catherine.Barnes@aus.com</u>> wrote

Good morning Twana

Ahmed Declaration Exhibit X

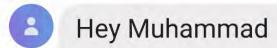
May 25, 2022 text saying ineligible for rehire and so revealing termination







Wednesday, May 25, 2022

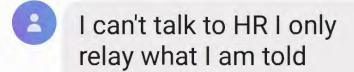


I got notification and was told that you are non rehirable

If you need to inquire further you will have to connect with HR

10:52 AM

Read 2:17 PM So are you going to talk to HR or what am I supposed to do



You can reach out to.the hotline as informed or reach back out to Katherine.alyea@aus.com













Ahmed Declaration Exhibit Y

May 25, 2022-June 2022 human resources communications and hotline summary content is safe. If you suspect this is phishing, please forward to phish@aus.com and then delete.

Hello Catherine how are you?
My name is Twana
I am an ally universal employee
And I would like to talk to you over the phone but I do not have your phone number
And I've been told you are an HR
please get back with me as soon as possible because I'm having a serious problem

From: Oliver, Wayne < Wayne. Oliver@aus.com>

Sent: Thursday, May 26, 2022 12:54 PM

To: twana 202020@yahoo.com

Cc: Alyea, Katherine < <u>Katherine.Alyea@aus.com</u>>

Subject: RE:

Good afternoon Twana,

Do you have a number you can be reached at?

Thanks.

Wayne Oliver Jr.

Regional HR Rep 281-729-7121



WORK SAFE. LIVE SAFE. BE SAFE.

From: Alyea, Katherine < <u>Katherine.Alyea@aus.com</u>>

Sent: Thursday, May 26, 2022 12:45 PM

To: twana 202020@yahoo.com

Cc: Oliver, Wayne < Wayne. Oliver@aus.com>

Subject: RE:

Hello Twana,

I am tied up today, so I am asking Wayne, the HR Representative to give you a call.

I will follow up with him later today.

Thanks,

Katherine Alyea PHR, SHRM-CP

Senior Regional HR Manager 713-321-0086



WORK SAFE. LIVE SAFE. BE SAFE.

From: Twana Kaka < twana 202020@yahoo.com>

Sent: Wednesday, May 25, 2022 6:05 PM

To: Alyea, Katherine < <u>Katherine.alyea@aus.com</u>>

Subject:

Email from: twana 202020@yahoo.com

DO NOT click links or open attachments unless you recognize the sender AND know the

Case: 36184 - Hotline Phone

CE

Issue Involving Employee Relations and HR: Dispute with Manager/ Supervisor

: Wrongful Termination/ Removal/ Transfer

Case Snapshot

Opened: 05/25/2022 5:18 PM
Days open: Less than 24 hours
Last modified: 05/26/2022 8:01 AM
Intake method: Hotline Phone

Status: In Process **Alert:** Green

Case Details Show Original Case Details

Reported tier information

Case type: Allegation Intake method: Hotline Phone

Location

Organization/Building name:

Allied Universal **Branch number:**WF572174

WLJ/ZI/T

Location name:

CE (TX) HOUSTON (Commercial)

Location/Address:

CE (TX) HOUSTON (Commercial

Country/Territory:

United States

Reporter contact information

Reporter anonymous:

No

Reporter first name:

Cwana

Reporter last name:

Amed

Phone number: 832-896-9276

Email address:

cwana_202020@yahoo.com
Contact availability:

Anytime

Case Information

What is your relationship to Allied Universal?

Employee **HRID#:**

9352791

Please identify the person(s) engaged in this behavior:
Patrick (phonetic spelling) Frainey (phonetic spelling) - account manager (first name unknown) (last name unknown) - general supervisor

Do you suspect or know that a supervisor or management is involved?
Yes

If yes, then who?

Patrick (phonetic spelling) Frainey (phonetic spelling) account manager

Is management aware of this problem?

Yes

What is the general nature of this matter?

Racism and Threats

Where did this incident or violation occur?

Allied Universal account manager office

Please provide the specific or approximate time this incident occurred:

In the month of April

How long do you think this problem has been going on?

More than a year

How did you become aware of this violation?

It happened to me

Details:

When Patrick was hired as the account manager and had his first encounter with Cwana, Patrick had interrogated Cwana by asking him about his origin due to Cwana's language barrier and foreign last name. Since then, Cwana suggested that Patrick had something against him due to his race and religion being Middle Eastern or Muslim.

There had been an incident recently regarding Cwana being addressed by the general supervisor that he would need to cut his beard, even though it had been between the period of Ramadan, which is a very significant and spiritual period for Muslim's to keep their culture and heritage strong. The general supervisor and Patrick had enforced the rule on Cwana to shave his beard, which eventually was done due to the constant reminders. To Cwana's surprise, he had noticed that there had been employees (names and job titles withheld) that had longer beards than him at the facility, which suggested that he had been targeted and dealt with unfairly but ignored the fact of racism due to simply being humble.

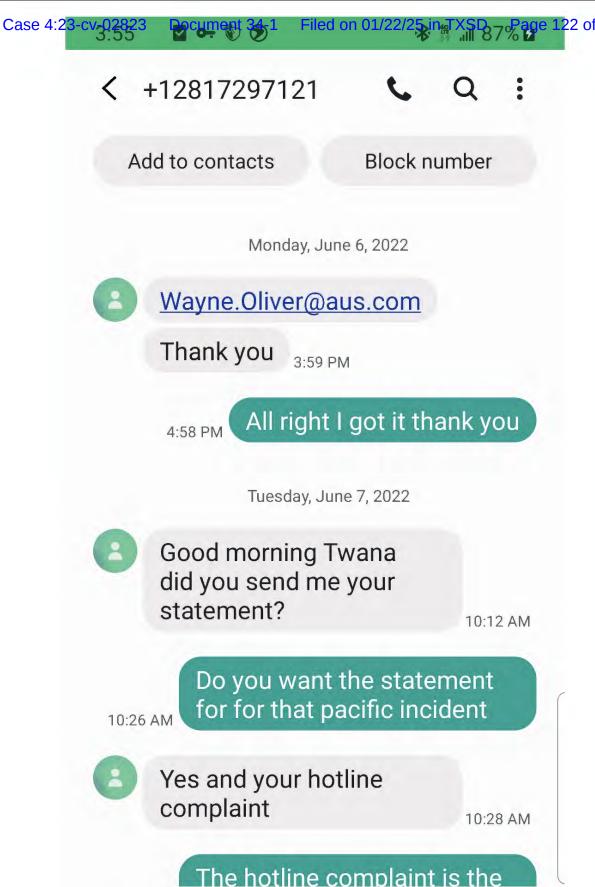
Another incident involved a misunderstanding when Cwana had been scheduled to work. Cwana had been called to the office by Patrick and had been addressed about the scheduling. Cwana had made it clear to Patrick that he was not scheduled to work and requested verification from the general supervisor. Patrick became irate and started to threaten Cwana by saying, "I'm going to destroy your life and fry you like a fucking chicken. You don't know who your fucking talking to." After the threats, Patrick also told Cwana to get out of his office and if Cwana was lying, Patrick would fire Cwana. It had seemed that Patrick found out that Cwana was not lying due to the general supervisor being written up for the misinformation. Patrick had neither acknowledged that Cwana was right, nor applicated for the threats made.

There had been another issue involving Cwana apprehending 3 persons that had been stealing from an Allied Universal linked site. In the state of Texas, a commission officer is liable to detain and apprehend someone by right during the process of a crime. After apprehending 3 persons (names and job titles unknown) that had been caught stealing, Cwana had been called to the office by Patrick. Patrick had started to threaten Cwana, and whenever Cwana wanted to state the reason as to why he was not wrong, Patrick would tell him to "shut up." Patrick stated that Cwana was in America, and that there are different ways to handle a burglary situation rather than being a "lose cannon." Patrick also mentioned that Cwana should have let go of the culprit and suspended Cwana until further notice.

After these events, Cwana was not called back immediately and had realized that he had been terminated. Cwana had then decided to return the equipment, including his firearm and other belongings, that had been the property of the business. Patrick had also passed a remark that if Cwana had not returned the items, Patrick would destroy him and revoke his security license. Patrick had also stated that even if the company does not fire Cwana, that he would find a way to fire Cwana, which Patrick has no right to do, and Cwana considers this unprofessional and unethical. **Location Description:**

0

Location2: CE Location3: Security













what day I was fired exactly and what kind of action are uive taking against the











From: Twana Kaka on behalf of Twana Kaka <twana 202020@yahoo.com>

To: Wayne.Oliver@aus.com

Date: Wednesday, June 8, 2022 7:23:13 PM

After the incident happened at one of the property I was working at one of the supervisors told me I have to go to the office the account manager will like to speak to me at the office and explain to him what's going on after when I got to the office the next day which is I was scheduled to work and I got told not to go to work because I have to go to the office to meet the account manager so I did the next day go to the office and speak to the account manager the account manager didn't want to listen to me completely he had a statement right in front of him he told me to sign this statement he read the statement to me and I told him this is not what exactly happened at the property he said to me that's one of the HEB managers shit to me and I told him you have to take my statement and listen to what I say he didn't want to listen to me because he was telling me to shut up and shut my mouth and listen to him he was very aggressive towards me after that he took a pen out and told me to sign it and I told him I don't agree with this he said I will recommend the company to fire you if you don't get fired I'm going to make sure you going to get fired because I don't want a loose cannon working that company and I told him I'm not a loose Cannon and I'm not going to sign this document because I don't agree with this I did not sign this report and I did not do this report you told me I'm being suspended he will be contacting me very soon and he told me to turn in all my equipments the next day and I told him that's fine I will do that he told me he will make sure he will suspend my license and he will call the states on me to take my license away from me which is he doesn't have any authority to do that it does not have the authority to take my license he does not have the authority to suspend my license and he said to me I will make sure you will go to jail and I will charges on you and I told them for what exactly and what exactly did I do wrong and he said this conversation is over leave the office and I told him the way Ally universal gave me those equipments and trusted me with them those are not my property those are Ally universal property I will return them back but you don't have to threaten me like that and to suspect me like that and being aggressive towards me like because I didn't do anything wrong and I told him you are being very aggressive towards me and you are accusing me of theft and stealing the next day I went back to the office to turn it in all my equipments which Ally universal gave me to conduct my duty I kept that promise to turn in all the equipment to the company the way they gave it to me

One of the first incident I had with the account manager it was over scheduling to work one of the supervisor contacted me through a text message and gave me a schedule to work and I did agree to work and I accepted that schedule after 2 days later I went to the post I was scheduled to work as like the text message said I drove 50 minutes

To the post I was scheduled to work when I got there I didn't see no patrol car at the property so I contacted the supervisor who scheduled me to work at that site he told me I was not supposed to be there and I told him this is what the text message says I'm supposed to be here because you scheduled me to be here he says no go ahead and go home and I'm going to make sure you going to get paid for driving all the way over there gas money And I was like okay

So I contacted the account manager to explain to him what's going on and what happened I talked to the account manager and explain everything to him he said he will speak to the supervisor and he will contact me back the account manager told me to go ahead and go home and they will give me a new schedule

Few days later I got contacted by the supervisor saying they want me at the office so I went to the office and sat down with the account manager Patrick it was very pissed off at me and he

was very angry at me and very aggressive and very disrespectful towards me telling me why did I miss a day of work and I told him exactly what is he talking about I have no idea and I have no clue he said to me supervisor Alex gave you a schedule and you did not go to work I told him no sir that's completely wrong I did go to work I did want to that site and I contacted the supervisor Alex and I contacted you and you guys told me I'm not scheduled to be there this is a big misunderstanding and I did not miss any schedule and that's when he start telling me to shut my mouth

I'm in the hot water just to listen to him and I start talking that's when he told me to shut my fucking mouth he got up and close the office door and there was nobody around it was just me and him at the office that's when he start cussing me out and yelling at me after when he closed the office door so nobody can listen and I told him this is wrong I did not I did not miss any day of scheduling I always want to work I told him he needs to investigate it

more and I told him he needs to bring the supervisor at the office to make this clear you cannot listen to one side of the story you have to always listen to the second side of the story so you can compare both stories together so you can find out which one is lying

He did not want to listen to that he continued to tell me to shut my mouth

I told him I don't agree to this you need to bring the supervisor down to the office today or tomorrow or later on so you can confront me with a supervisor so we can get this fixed and he said to me he will look into it further but if I was lying he will fry me like a fucking chicken and he will destroy my fucking life that's what exactly he said to me

And he said I'll be contacting you very soon

After that incident the account manager never contacted me never called me to talk about that incident

he find out and he realized he was wrong it was not my fault it was the supervisor fault because I had text messages prove I want to decide and I clocked in on I show them the proof I clocked in and I went to the side according to the schedule

I did follow the procedure and I did follow my schedule which is the supervisor gave me And it was a big mistake by the company and by the supervisor

the account manager never called me or apologize or said anything to me about what happened about cussing me out and disrespecting me and threatened me

When I was at the office talking to the account manager he told me this is America we get things done different over here that was very racist things to say to me it's not like what I lived or I came from

After when I got told that I didn't say anything I was just stunned and I had nowhere to say because I didn't want to lose my job I was afraid if I say anything I will lose my job and I did not want to lose my job because I liked working for Ally universal it was a good company and I got treated very well by the company except the account manager and being targeted by him personally

After I return back to work I received my schedule I start being targeted about my facial hair my beard every time the supervisor will show up to the post to do inspection he was continuing to tell me every time to shave my beard and I told him this is part of the religion I believe in I'm not supposed to shave my beard I have to keep my beard for religious purposes he didn't want to listen to that he told me that's company policy you need to follow company policy so I went and shaved my whole entire beard the next day because I got very annoyed by the supervisor to tell me every single time you come to the post to get rid of my beard the supervisor himself he had a beard I didn't say anything I did not ask any question after when I got rid of my beard I seen other employees of Ally universal who works with me at the same program I was in they had their beard really long four times longer in my beard I went and talked to one of them just try to find out why they have their beard have they been told by any supervisor to get rid of their beard because of company policy

They said no know I was being targeted

I didn't say anything I did what I was told and I continue with my schedule to go to work always on time always arriving to the property 30 minutes earlier never being late never missed one day of schedule I never been right up by anybody for doing anything wrong when I was conducting my duty

I think I suspended for conducting my job and doing my duty and follow what the manager of the post told me to do I was never been told I was fired I got told I was suspended and I'll be contacted by the account manager and to tell me about the investigation he's going to conduct I find out my own and myself and I was fired I was not reliable by Ally universal that will prove Patrick point he will make sure I was fired because the account manager told me he will make sure I was fired

Even if I lie universal will never fire me he will make sure I was fired

It's just like walking with a big Target in your back by the account manager for some reason I have no idea why

Is he a racist to me because I'm a that's how I felt and he already proven that to me I did ask the account manager to speak to anybody above him a manager or a supervisor his boss I would like to have this conversation with him I told the account manager face-to-face in his office he refused what I asked for he told me nobody wants to talk to me nobody wants to see me that felt very weird after that one happen I start knocking on doors to find out what's going on and why am I being treated like that

After that I start communicating with HR

Through an email

And try to explain to her what's going on and what happened the HR responded back to me Saying she doesn't get involved and employees affair

Please respond back to my email with confirmations I want to make sure you received my email thank you

And let me know if you want the incident report or you have any more question please give me a call

+12817297121



Q

:

The hotline complaint is the same complaint and it's the same thing I told you everything we talked about on the phone is the same thing

4:37 PM

Thursday, June 9, 2022

Hello please let me know if you already received my email

7:11 PM

Monday, June 13, 2022

Please I would like to know what day I was fired exactly and what kind of action are you guys taking against the account manager because of the discriminations and the racism he had towards me I would like to know that and I would like to know when am I going to be able to reapply











Ahmed Declaration Exhibit Z

police report about a different Allied security guard's use of force

Houston Police Department

0885575-22

Production



Houston Police Department 1200 Travis Street Houston, Texas 77002 713-884-3131 Emergency Dial 9-1-1 Reported Data/Time
07/04/2022 22:47
Offense Report Title
Criminal Mischief (Reckless Damage) <\$2500
Officer Name
THOMAS, D R

| Administra | tive Inform | nation | | | | | | |
|--|---------------------------|---|--|---|---|---|--|---|
| Address 10251 KEMPV | 400 | | - In(too) | ниментичностичности | | City | N | 77043 |
| Dist/Beat 4F20 | Station NW | Distr | District From Date/Time 04 (07/04/2022 22:47) | | To Date/Time | | Primary Unit 4F21N | |
| Officer 1 Name THOMAS, D F | 2 | - diamino | | 1 | Division | est - Nights - Pa | atrol | 3 November of Marie |
| Officer 2 Name | | ERT THE | 15 | Name and Advisory of the Control of | Division | , right | Princer, R. A. Copper and Charles and Compensation of the Compensa | School 27 (1990) |
| Weather CLEAR | Offense County Harris Cou | nty | | | Est. Loss Valu \$2,500 t | | tate Jail Felony) | |
| Hate Crime | Family Violence | Meta | al Theft | Gang Crime | | | | |
| No | No | 50ME | No | No | 3 | | | |
| ARR: DENNIS | S, TERRY JE | ROME | | | | | | |
| Race | Sex | Ethnicity | - Name - Name - All Annual - A | W | A | Height | Weight | Age |
| Black, Black Hispanic or African American | Male | Not H | ot Hispanic/Latino (N | | (N) | 5'08" | 220# | 47 |
| Address | | *************************************** | | | City | | State | Zip Code |
| 9393 TIDWEL | L RD #812 | | | | HOUSTON | OUSTON T | | 77078 |
| | | | | | *************************************** | *************************************** | | *************************************** |
| CAB: HEB | | | | | | | **** | |
| Address | | | | | City | | State | Zip Code |
| 10251 KEMP\ | WOOD DR | *************************************** | | | HOUSTON | | TX | 77043 |
| Phone(s): | CE | *************************************** | I | | | w.a | | |
| | (713)996-00 | 009 | | | | | | |
| COM: CARM | ONA,CHRIS | TIAN D | ANIEL | | | | | |
| Race | Sex | Ethnicity | www.uguayngamg.Wille | ometowike 14 | | Height | Weight | Age |
| White or White Hispanic | Male | Hispa | nic or Lati | no | (Y) | 5'06" | 140# | 29 |
| Address | | | | | City | | State | Zip Code |
| 3503 DEEDS RD HOU | | | | HOUSTON | | TX | 77084 | |

| PROPERTY SECTION | | | | | |
|------------------------------|------------|--|-----|------------|---------|
| Damaged/Destroyed/Vandalized | Brand/Make | Model | Qty | Serial No. | Value |
| Window | NO BRA | | 1 | | 4000.00 |
| Description | | | | | |
| Convenience store glass | | and the same of th | | | |
| 44404 | | Owner | | | |
| | | HEB | | | |
| Report Officer | Printed At | 1 | | | |

(281)723-2493

Phone(s): CE

Houston Police Department

0885575-22

Production

| 0 | | | |
|----|---|----|-----|
| Su | m | ma | Tr. |
| | , | | |

SUSPECT WAS ARRESTED FOR CRIMINAL MISCHIEF, HE BROKE THE WINDOW OF A CONVENIENCE STORE.

Ahmed Declaration Exhibit AA

911 call about different Allied security guard's use of force

Jul 07 14:10 2022

Page 1

EVENT HISTORY RECORDS

Event #: P088526022-I Priority: 4 Time: 04-Jul-2022/21:41:25 Type: 4089

Response Level: 0

Src: 9
Info:

Phone: 832 513 0699

Address: 10154 NEUENS RD - N

Contact:

Business: HEB

EVENT REMARKS

04-Jul-2022/21:41:25167291 HEC077

(Click Continue)

UNKNOWN SUSPICIOUS EVENT REPORT.

ANI 346 633 9128...CLLR REPORTING THAT THERE IS A B/M HEAVY BUILT 30 YOA WRNG BLU SHIRT BLU JNS BLU SNEAKERS W/A PROSTHETIC LEG REQ PD AT THE P LOT FOR A FAMILY DISPUTE...HE IS ALONE AT THE LOC, NO DISTURBANCE GOING ON...NOI/NOD

Loc: 10251 KEMPWOOD DR , HO ^77080

Caller: RAYMOND RODRIGUEZ/SECURITY OFFIC

EVENT SUMMARY

| Status | Status Date | Ву | At |
|--------|----------------------|--------|--------|
| | | | |
| IAW | 04-Jul-2022/21:41:25 | 167291 | HEC077 |
| CLS | 04-Jul-2022/23:50:15 | 161587 | TAC2 |

EVENT CHRONOLOGY

| Date/Time | Segment Name | Workstation | Description |
|---------------------|--------------|-------------|---|
| 2022-07-04/21:37:50 | LOCVER | HEC077 | |
| 2022-07-04/21:38:38 | SPI | HEC077 | (Start) |
| 2022-07-04/21:38:38 | SPI | HEC077 | (Stmnt) SUSPICIOUS SINS |
| 2022-07-04/21:38:38 | SPI | HEC077 | (Select) (Click |
| | | | Continue) {PSUS} |
| 2022-07-04/21:38:38 | SPI | HEC077 | (Stmnt) WHAT SUSPICIOUS |
| | | | ACTIVITY IS BEING |
| 2022 07 04/01 20 20 | ^ | | REPORTED? |
| 2022-07-04/21:38:39 | SPI | HEC077 | (Select) UNKNOWN |
| | | | SUSPICIOUS EVENT |
| 2022-07-04/21:38:39 | SPI | UEC022 | REPORT. {PACSUS2} |
| 2022-07-04/21.30.33 | 21.7 | HEC077 | (Stmnt) CLICK "ACCEPT" |
| | | | TO OBTAIN POLICE RESPONSE CALL CODE, |
| | | | THEN CLICK "CONTINUE" |
| | | | FOR FURTHER |
| | | | INSTRUCTIONS. |
| 2022-07-04/21:38:39 | SPI | HEC077 | (Select) |
| | | | • |

| 2022-07-04/21:38:39 | SPI | HEC077 | (Stmnt) ASK THE FOLLOWING QUESTIONS THAT ARE APPROPRIATE AND DOCUMENT IN THE |
|---------------------|--------|---------|--|
| | | | REMARKS SECTION. |
| 2022-07-04/21:38:40 | SPI | HEC077 | (Accept) 4089 |
| 2022-07-04/21:38:42 | SPI | HEC077 | (Back) Back To Sin Id |
| 2022-07-04/21:38:42 | SPI | HEC077 | {PACSUS2} (Stmnt) CLICK "ACCEPT" TO OBTAIN POLICE RESPONSE CALL CODE, THEN CLICK "CONTINUE" FOR FURTHER |
| | | | INSTRUCTIONS. |
| 2022-07-04/21:38:43 | SPI | HEC077 | (Back) Back To Sin Id {PSUS} |
| 2022-07-04/21:38:43 | SPI | HEC077 | (Stmnt) WHAT SUSPICIOUS ACTIVITY IS BEING REPORTED? |
| 2022-07-04/21:38:44 | SPI | HEC077 | (Select) SUSPICIOUS |
| | | | PERSON REPORT. (SUSP-4) |
| 2022-07-04/21:38:44 | SPI | HEC077 | (Stmnt) ARE YOU AWARE OF OR DO THEY APPEAR TO HAVE MENTAL ISSUES? |
| 2022-07-04/21:38:53 | SPI | HEC077 | (Back) Back To Sin Id {PSUS} |
| 2022-07-04/21:38:53 | SPI | HEC077 | (Stmnt) WHAT SUSPICIOUS ACTIVITY IS BEING REPORTED? |
| 2022-07-04/21:38:53 | SPI | HEC077 | (Select) UNKNOWN SUSPICIOUS EVENT |
| 2022-07-04/21:38:53 | SPI | HEC077 | REPORT. {PACSUS2} (Stmnt) CLICK "ACCEPT" TO OBTAIN POLICE RESPONSE CALL CODE, THEN CLICK "CONTINUE" |
| | | | FOR FURTHER INSTRUCTIONS. |
| 2022-07-04/21:38:54 | SPI | HEC077 | (Accept) 4089 |
| 2022-07-04/21:38:55 | SPI | HEC077 | (Select) |
| | | | - (PSUS9) |
| 2022-07-04/21:38:55 | SPI | HEC077 | (Stmnt) ASK THE FOLLOWING QUESTIONS THAT ARE APPROPRIATE AND DOCUMENT IN THE |
| 2022-07-04/21:38:55 | SPI | HEC077 | REMARKS SECTION. |
| 2022-07-04/21:38:33 | ENTRY | HECO77 | (End) |
| 2022-07-04/22:04:26 | EXPIRE | ILLCOTT | Pending event expired |
| | | | The state of the s |

Case 4:23-cv-02823 Document 34-1 Filed on 01/22/25 in TXSD Page 134 of 718

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2022-07-04/23:50:15 XREF 2022-07-04/23:50:15 DUP TAC2 TAC2 #P088557522-L, DUO

Ahmed Declaration Exhibit BB

police records about different
Allied security guard's
use of force—
taser and handcuffs
on double amputee

Case 4:23-cv-02823 Document 34-1 Filed on 01/22/25 in TXSD Page 136 of 718

911audio produced in native .wav format

CARMONA, CHRISTIAN DANIEL Phone Number: 2817232493

Has never seen this D before. Was not there on scene when it happened, W, security was.

Said window had not been fixed yet but measured.

No exact amount at this time but will email after they fix today. Said just measured yesterday.

Has surveillance of the incident.

Loc: 10251 KEMPWOOD DR ,HO ^77080

Caller: BRIAN- HEB CENTRAL STATION

EVENT HISTORY RECORDS

Event #: P088557522-L Priority: 3 Time: 04-Jul-2022/22:47:10 Type: 3041

Response Level: 0

Src: T Info: GAS STATION

Phone: 210 938 8500

Address: Contact:

Business: HEB GROCERY

EVENT REMARKS

04-Jul-2022/22:47:10173179 HEC032

(Click Continue)
THIS IS A BURGLARY.
BUSINESS (BUSINESS, GARAGE, SHED).

IN PROGRESS (Suspects can be seen or heard).

04-Jul-2022/22:47:49173179 HEC032

CLLR STATED THAT HE IS CALLING FROM THE CENTRAL STATION IN SAN ANTONIO FOR HEB...

04-Jul-2022/22:48:29173179 HEC032 CALLER IS OUTSIDE THE LOCATION.

1 SUSPECT.

UNKNOWN / NO WEAPONS INVOLVED.

CLLR STATED THAT THE POI IS AT THE GAS STATION TRYING TO BREAK THE WINDOW TO GET IN...

04-Jul-2022/22:48:58173179 HEC032

CLLR STATED THAT THE POI IS THREATENING SECURITY ONSITE WITH A PROSTHETIC LEG...

04-Jul-2022/22:51:04173179 HEC032

SUSPECTS CAME ON FOOT.

NO - THE CALLER IS NOT THE OWNER OF THE PROPERTY.

POI: BM LATE 30-EARLY 40'SYOA 4'8 MED BUILT BALD HEAD WEARING BLU SHIRT, ORANGE IN FRONT NO PANTS IN CHECKERED BOXERS... POI TOOK HIS PANTS OFF..

04-Jul-2022/22:51:31173179 HEC032

CLLR STATED THAT PER VIDEO POI IS WALKING TOWARDS THE PUMPS...

04-Jul-2022/22:52:44173179 HEC032

POI HAS WALKED BACK TOWARDS THE STORE.. SECURITY IS NOT ENGAGING... POI IS SITTING DOWN IN FRONT OF THE GAS STATION KEYOSK...

NO - THE REPORTEE IS NOT THE OWNER OF THE PROPERTY.

1 SUSPECT.

BUSINESS DAMAGED

UNKNOWN - IF THIS INVOLVES SOMEONE WITH MENTAL ISSUES.

CRIMINAL MISCHIEF IN PROGRESS (Suspects can be seen or heard).

(Click Continue)

POI HAS GOTTEN BACK UP, ALMOST ATTACKED THE SECURITY OFFICER...

04-Jul-2022/22:54:49173179 HEC032

CLLR STATED THAT HE IS UNSURE IF THE POI IS ARMED, EVERYONE AT THE LOC IS BACKING AWAY FROM HIM...

04-Jul-2022/22:55:32173179 HEC032

POI IS NOT ATTEMPTING TO BREAK IN BUT HE IS CONSISTENTLY BREAKING THE GLASS W/ HIS PROSTHETIC LEGS...

04-Jul-2022/22:56:53173179 HEC032 NOI,NOD

04-Jul-2022/23:50:35161587 TAC2

ALL 3 OF THOSE 4F20 CALLS ARE DUPED. 5575 IS THE RIGHT CALL TO DUPE THE OTHERS TO, THX

EVENT SUMMARY

| Status | Status Date | Ву | At |
|--------|----------------------|--------|--------|
| | | | |
| IAW | 04-Jul-2022/22:47:10 | 173179 | HEC032 |
| DSP | 04-Jul-2022/23:52:10 | 161587 | TAC2 |
| ENR | 04-Jul-2022/23:52:10 | 161587 | TAC2 |
| WAI | 04-Jul-2022/23:53:38 | 161587 | TAC2 |
| DSP | 04-Jul-2022/23:55:13 | 161587 | TAC2 |
| ENR | 04-Jul-2022/23:55:19 | 171555 | MD5499 |
| ONS | 04-Jul-2022/23:57:11 | 107853 | MD7201 |
| CLS | 05-Jul-2022/04:25:07 | 171555 | MD5499 |

EVENT CHRONOLOGY

| Date/Time | Segment Name | Workstation | Description |
|---------------------|--------------|-------------|-----------------------|
| | | | |
| 2022-07-04/22:46:26 | LOCVER | HEC032 | |
| 2022-07-04/22:46:47 | SPI | HEC032 | (Start) |
| 2022-07-04/22:46:47 | SPI | HEC032 | (Stmnt) BURGLARY SINS |
| 2022-07-04/22:46:48 | SPI | HEC032 | (Select) (Click |
| | | | Continue) {BURGLARY} |

| | | | DOOR/WINDOW OR |
|---------------------|-------|--------|--|
| 2022-07-04/22:46:49 | SPI | HEC032 | BURGLARY? (Select) THIS IS A |
| 2022-07-04/22:46:49 | SPI | HEC032 | BURGLARY. {BURG-1} (Stmnt) WHAT IS BEING |
| 2022-07-04/22:46:50 | SPI | HEC032 | BURGLARIZED? (Select) BUSINESS (BUSINESS, GARAGE, SHED). {BURG-1A} |
| 2022-07-04/22:46:50 | SPI | HEC032 | (Stmnt) WHEN DID THIS OCCUR? |
| 2022-07-04/22:46:52 | SPI | HEC032 | (Select) IN PROGRESS (Suspects can be seen or heard). {BURG-1201} |
| 2022-07-04/22:46:52 | SPI | HEC032 | (Stmnt) CLICK "ACCEPT" TO OBTAIN POLICE RESPONSE CALL CODE, THEN CLICK "CONTINUE" FOR FURTHER INSTRUCTIONS. |
| 2022-07-04/22:47:10 | ENTRY | HEC032 | |
| 2022-07-04/22:47:10 | DTFLW | HEC032 | DETAILS TO FOLLOW |
| 2022-07-04/22:47:12 | SPI | HEC032 | (Accept) 1201 |
| 2022-07-04/22:47:13 | SPI | HEC032 | (Select) |
| | | | |
| 2022-07-04/22:47:13 | SPI | HEC032 | ====== {BURG-1A1} (Stmnt) ARE YOU CALLING FROM OUTSIDE OR INSIDE THE LOCATION? |
| 2022-07-04/22:47:49 | DTFLW | HEC032 | DETAILS TO FOLLOW |
| 2022-07-04/22:47:49 | CHNG | HEC032 | Remarks |
| 2022-07-04/22.47.43 | CHNG | NECU32 | <pre>Entered;Priority: 3 ==> 1;Type: BURGL ==> 1201;TypeDescr: BURGLARY TYPE OF CALLS ==></pre> |
| | | | BURGLARY/BUSINESS/IN PROG; RespId: <empty> ==> BRG2; RespLvl: <empty> ==> 0; SpecialInstruc:</empty></empty> |
| 2022-07-04/22:47:52 | SPI | HEC032 | BURGL-SIN ==> <empty>; (Select) CALLER IS OUTSIDE THE LOCATION.</empty> |
| 2022-07-04/22:47:52 | SPI | HEC032 | {BURG-1A2} (Stmnt) How many suspects are involved? (Add in Remarks: Race/Sex/Age/Clothing/O |

| | | | Vehicle/Direction) |
|---------------------|---------------|------------------|--|
| 2022-07-04/22:47:56 | SPI | HEC032 | (Select) 1 SUSPECT. {BURG-1A3} |
| 2022-07-04/22:47:56 | SPI | HEC032 | (Stmnt) ARE WEAPONS |
| | | | INVOLVED? (Document who |
| | | | has the weapon and |
| | | | their description) |
| 2022-07-04/22:48:00 | SPI | HEC032 | (Select) UNKNOWN / NO |
| | | | WEAPONS INVOLVED. |
| | | | {BURG-1A4} |
| 2022-07-04/22:48:00 | SPI | HEC032 | (Stmnt) DO YOU KNOW IF |
| | | | THE SUSPECT(S) CAME IN |
| | | | A VEHICLE OR ON FOOT? |
| 2022-07-04/22:48:29 | DTFLW | HEC032 | DETAILS TO FOLLOW |
| 2022-07-04/22:48:29 | CHNG | HEC032 | Remarks Entered; |
| 2022-07-04/22:48:58 | DTFLW | HEC032 | DETAILS TO FOLLOW |
| 2022-07-04/22:48:58 | CHNG | HEC032 | Remarks Entered; |
| 2022-07-04/22:49:09 | SPI | HEC032 | (Select) SUSPECTS CAME |
| 2022-07-04/22:49:09 | CDI | HEQ033 | ON FOOT. {BURG-1A5} |
| 2022-07-04/22:49:09 | SPI | HEC032 | (Stmnt) ARE YOU THE OWNER OF THE PROPERTY? |
| 2022-07-04/22:49:12 | SPI | HEC032 | (Select) NO - THE |
| 2022-07-04/22.49.12 | 51 1 | IIEC032 | CALLER IS NOT THE OWNER |
| | | | OF THE PROPERTY. |
| | | | {POIVOI} |
| 2022-07-04/22:49:12 | SPI | HEC032 | (Stmnt) |
| 2022-07-04/22:49:36 | MISC | NWDISP | GBD (command: M) |
| 2022-07-04/22:51:04 | DTFLW | HEC032 | DETAILS TO FOLLOW |
| 2022-07-04/22:51:04 | CHNG | HEC032 | Remarks Entered; |
| 2022-07-04/22:51:31 | DTFLW | HEC032 | DETAILS TO FOLLOW |
| 2022-07-04/22:51:31 | CHNG | HEC032 | Remarks Entered; |
| 2022-07-04/22:52:03 | MISC | NWDISP | EVE SHIFT WAS HELD OVER |
| | | | FOR FREEDOM OVER TX |
| | | | CELEBRATION. THEY WERE |
| | | | JUST RELEASED AND ARE |
| | | | IN THE PROCESS OF |
| | | | GETTING KEYS IN SO |
| | | | NIGHT SHIFT CAN SO. |
| 2022-07-04/22:52:44 | DTELL | HEQ022 | (command: M) |
| 2022-07-04/22:52:44 | DTFLW CHNG | HEC032 HEC032 | DETAILS TO FOLLOW |
| 2022-07-04/22:52:44 | CHNG | NWDISP | Remarks Entered; Priority: 1 ==> 3; Type: |
| 2022-07-04/22.55.07 | CHNG | MMDIDE | 1201 ==> 3;1ype: |
| | | | 3041; TypeDescr: |
| | | | BURGLARY/BUSINESS/IN |
| | | | PROG ==> |
| | | | DISTURBANCE/CIT; Respid: |
| | | | BRG2 ==> CIT2; |
| 2022-07-04/22:53:16 | DTFLW | HEC032 | DETAILS TO FOLLOW |
| | | | |

| 2022-07-04/22:53:27 | CHNG | NWDISP | <pre>Entered; Priority: 3 ==> 1; Type: 3041 ==> 1201; TypeDescr: DISTURBANCE/CIT ==> BURGLARY/BUSINESS/IN PROG; RespId: CIT2 ==> BRG2; Priority: 1 ==> 3; Type: 1201 ==> 3041; TypeDescr: BURGLARY/BUSINESS/IN PROG ==> DISTURBANCE/CIT; RespId: BRG2 ==> CIT2;</pre> |
|--|------------|------------------|---|
| 2022-07-04/22:54:00 | SPI | HEC032 | (Delete) Discard SPI Remarks |
| 2022-07-04/22:54:00 | SPI | HEC032 | (End) |
| 2022-07-04/22:54:03 | SPI | HEC032 | (Start) |
| 2022-07-04/22:54:03 | | | |
| | SPI | HEC032 | (Stmnt) CRIMINAL MISCHIEF SINS |
| 2022-07-04/22:54:04 | SPI | HEC032 | (Select) (Click Continue) {PCRM} |
| 2022-07-04/22:54:04 | SPI | HEC032 | (Stmnt) WHEN DID THIS OCCUR? |
| 2022-07-04/22:54:05 | SPI | HEC032 | (Select) CRIMINAL MISCHIEF IN PROGRESS (Suspects can be seen or heard). {PCRM1A} |
| 2022-07-04/22:54:05 | SPI | HEC032 | (Stmnt) ARE YOU AWARE OF OR DO THEY APPEAR TO HAVE MENTAL ISSUES? |
| 2022-07-04/22:54:08 | SPI | HEC032 | (Select) UNKNOWN - IF THIS INVOLVES SOMEONE WITH MENTAL ISSUES. {PCRM1} |
| 2022-07-04/22:54:08 | SPI | HEC032 | (Stmnt) WHAT TYPE OF DAMAGE? (Describe damage in remarks section) |
| 2022-07-04/22:54:11 | SPI | HEC032 | (Select) BUSINESS DAMAGED {PACCRM} |
| 2022-07-04/22:54:11 | SPI | HEC032 | (Stmnt) CLICK "ACCEPT" TO OBTAIN POLICE RESPONSE CALL CODE, THEN CLICK "CONTINUE" FOR FURTHER INSTRUCTIONS. |
| 2022-07-04/22:54:12 2022-07-04/22:54:13 | SPI SPI | HEC032 HEC032 | (Accept) 2240 (Select) |
| | | | |

| | | | {PCRM3} |
|---------------------|--------|----------|--|
| 2022-07-04/22:54:13 | SPI | HEC032 | (Stmnt) HOW MANY |
| | | | SUSPECTS ARE INVOLVED? |
| | | | (Add in Remarks: |
| | | | Race/Age/Clothing/On |
| | | | Foot/In |
| | | | Vehicle/Direction) |
| 2022-07-04/22:54:14 | SPI | HEC032 | (Select) 1 SUSPECT. |
| | | | {PCRM5} |
| 2022-07-04/22:54:15 | SPI | HEC032 | (Stmnt) IS THE REPORTEE |
| | | | THE OWNER OF THE |
| | | | PROPERTY? |
| 2022-07-04/22:54:17 | SPI | HEC032 | (Select) NO - THE |
| | | 2004 | REPORTEE IS NOT THE |
| | | | OWNER OF THE PROPERTY. |
| | | | {POIVOI} |
| 2022-07-04/22:54:17 | SPI | HEC032 | (Stmnt) |
| 2022-07-04/22:54:49 | | HEC032 | DETAILS TO FOLLOW |
| 2022-07-04/22:54:49 | CHNG | HEC032 | Remarks |
| 2022 07 01722.31.19 | Cilito | 11110032 | Entered; Priority: 3 ==> |
| | | | 2; Type: 3041 ==> |
| | | | 2240; TypeDescr: |
| | | | DISTURBANCE/CIT ==> |
| | | | CRIM MISCHIEF/IN |
| | | | |
| | | | PROG; RespId: CIT2 ==> CD2; |
| 2022-07-04/22:55:32 | DTFLW | HEC032 | DETAILS TO FOLLOW |
| 2022-07-04/22:55:32 | CHNG | HEC032 | |
| 2022-07-04/22:55:51 | CHNG | NWDISP | Remarks Entered; |
| 2022-07-04/22:55:51 | CHNG | MMDT25 | Priority: 2 ==> 3; Type: 2240 ==> |
| | | | |
| | | | 3041; TypeDescr: CRIM |
| | | | MISCHIEF/IN PROG ==> |
| | | | DISTURBANCE/CIT; Respid: |
| 2022 07 04/22:56:52 | DESTA | WEGG20 | CD2 ==> CIT2; |
| 2022-07-04/22:56:53 | | HEC032 | DETAILS TO FOLLOW |
| 2022-07-04/22:56:53 | CHNG | HEC032 | Remarks |
| | | | <pre>Entered; Priority: 3 ==></pre> |
| | | | 2; Type: 3041 ==> |
| | | | 2240; TypeDescr: |
| | | | DISTURBANCE/CIT ==> |
| | | | CRIM MISCHIEF/IN |
| | | | PROG; RespId: CIT2 ==> |
| 0000 07 01/00 75 | ~**** | | CD2; |
| 2022-07-04/22:59:08 | CHNG | NWDISP | Priority: 2 ==> 3; Type: |
| | | | 2240 ==> |
| | | | 3041; TypeDescr: CRIM |
| | | | MISCHIEF/IN PROG ==> |
| | | | |

| | | | CD2 ==> CIT2: / |
|---------------------|---------|---------|-------------------------------------|
| 2022-07-04/23:50:15 | DUP | TAC2 | CD2 ==> CIT2; #P088526022-I, DUO |
| 2022-07-04/23:50:17 | MISC | TAC2 | DUP * (command: M) |
| 2022-07-04/23:50:27 | DUP | TAC2 | #P088572522-F,/DUP |
| 2022-07-04/23:50:35 | APND | TAC2 | MsgId=152030849-ALL 3 |
| 2022 0, 04,23.33.33 | 112 112 | 11102 | OF THOSE 4F20 CALLS ARE |
| | | | DUPED. 5575 IS THE |
| | | | RIGHT CALL TO DUPE THE |
| | | | OTHERS TO, THX |
| 2022-07-04/23:52:10 | DE | TAC2 | 4F21N (P) |
| 2022-07-04/23:52:10 | PRIUNIT | TAC2 | 4F21N |
| 2022-07-04/23:52:13 | DSP | TAC2 | 4F23N (P) |
| 2022-07-04/23:52:35 | ENR | MD7201 | 4F23N, FROM 10092 ALFRED |
| 2022 07 01723.32.33 | DI-11 | 115,501 | LN, HO |
| 2022-07-04/23:53:38 | AUTPRE | TAC2 | 4F21N,C1 |
| 2022-07-04/23:53:38 | AUTPRE | TAC2 | 4F23N,C1 |
| 2022-07-04/23:55:13 | DSP | TAC2 | 4F21N (P) 4F23N (P) |
| 2022-07-04/23:55:13 | PRIUNIT | TAC2 | 4F21N |
| 2022-07-04/23:55:19 | ENR | MD5499 | 4F21N |
| 2022-07-04/23:55:29 | ENR | MD7201 | 4F23N, FROM 5199 GESSNER |
| | | | RD, HO |
| 2022-07-04/23:57:11 | ONS | MD7201 | 4F23N |
| 2022-07-05/00:04:27 | ONS | MD5499 | 4F21N |
| 2022-07-05/00:22:33 | OK | NWDISP | 4F23N, TIMER CLEARED |
| 2022-07-05/00:24:39 | OK | NWDISP | 4F21N, TIMER CLEARED |
| 2022-07-05/00:30:50 | MISC | MD5499 | 4F21N,1 MALE IN THE BCK |
| | | | OF MY SHOP (command: M) |
| 2022-07-05/00:41:22 | CLEAR | MD7201 | 4F23N |
| 2022-07-05/00:41:54 | TRNS | MD5499 | 4F21N[Joint Processing |
| | | | Center from 2781 |
| | | | GESSNER RD, HO] |
| 2022-07-05/01:15:39 | ONS | MD5499 | 4F21N |
| 2022-07-05/01:36:04 | OK | NWDISP | 4F21N, TIMER CLEARED |
| 2022-07-05/03:52:40 | CLOCOS | MD5499 | 4F21N[9700 KATY |
| | | | <pre>FREEWAY/CHARGES/ORI]</pre> |
| 2022-07-05/04:25:07 | CLEAR | MD5499 | 4F21N D/ARR |
| 2022-07-05/04:25:07 | CLOSE | MD5499 | D/ARR |
| | | | |
| TT CIIMMIDV | | | |

UNIT SUMMARY

| Unit | Date/Time | Status |
|-------|---------------------|--------|
| 4F21N | 2022-07-04/23:52:10 | DSP |
| 4F21N | 2022-07-04/23:52:10 | ENR |
| 4F21N | 2022-07-04/23:53:38 | AV |
| 4F23N | 2022-07-04/23:52:13 | DSP |
| 4F23N | 2022-07-04/23:52:35 | ENR |
| 4F23N | 2022-07-04/23:53:38 | AV |
| 4F21N | 2022-07-04/23:55:13 | DSP |
| 4F21N | 2022-07-04/23:55:19 | ENR |

| 4F21N | 2022-07-05/00:41:54 | TRN |
|-------|---------------------|------|
| 4F21N | 2022-07-05/01:15:39 | ONS |
| 4F21N | 2022-07-05/03:52:40 | ONS |
| 4F21N | 2022-07-05/04:25:07 | AV |
| 4F23N | 2022-07-04/23:55:13 | DSP |
| 4F23N | 2022-07-04/23:55:29 | ENR |
| 4F23N | 2022-07-04/23:57:11 | ONS |
| 4F23N | 2022-07-05/00・41・22 | 2/1/ |

Jul 07 14:10 2022

Page 1

Loc: 10198 KEMPWOOD DR + 2701 GESSNER RD

Caller: DAVID- SEAL SECURITY

EVENT HISTORY RECORDS

Event #: P088572522-F Priority: 5 Time: 04-Jul-2022/23:19:12 Type: 5303

Response Level: 0

Src: T Info:

Phone: 713 422 2770

Address: Contact:

Business: HEB GAS STATION

EVENT REMARKS

04-Jul-2022/23:19:12173179 HEC032

(Click Continue)

DELAYED REPORT OF A CRIMINAL MISCHIEF.

YES - CALLER IS IN THE CITY LIMITS OF HOUSTON

YES - SOMEONE WITNESSED THE CRIME NO - WEAPONS WERE NOT INVOLVED

1 SUSPECT.

CLLR STATED THAT THERE WAS A MALE THAT ATTEMPTED TO BREAK IN THE LOC.. CLLR STATED THAT THE POI WAS TAZED BY ALLIED SECURITY... POI BROKE THE WINDOW TO THE LOC.. POI:BM 30-40'SYOA HEAVY BUILT WEARING BLU W/ORANGE SUN ON FRONT OF SHIRT BLU JNS LEANING ON SOMETHING..NOI.NOD

EVENT SUMMARY

| Status | Status Date | Ву | At |
|--------|----------------------|--------|--------|
| | | | |
| WAI | 04-Jul-2022/23:19:12 | 173179 | HEC032 |
| CLS | 04-Jul-2022/23:50:27 | 161587 | TAC2 |

EVENT CHRONOLOGY

| Date/Time | Segment Name | Workstation | Description |
|---------------------|--------------|-------------|---|
| 2022-07-04/23:13:58 | LOCVER | HEC032 | |
| 2022-07-04/23:15:49 | SPI | HEC032 | (Start) |
| 2022-07-04/23:15:49 | SPI | HEC032 | (Stmnt) CRIMINAL MISCHIEF SINS |
| 2022-07-04/23:15:49 | SPI | HEC032 | (Select) (Click Continue) {PCRM} |
| 2022-07-04/23:15:50 | SPI | HEC032 | (Stmnt) WHEN DID THIS OCCUR? |
| 2022-07-04/23:15:51 | SPI | HEC032 | (Select) DELAYED REPORT OF A CRIMINAL MISCHIEF. {PCRM6} |
| 2022-07-04/23:15:51 | SPI | HEC032 | (Stmnt) ARE YOU IN THE CITY LIMITS OF HOUSTON? |

Jul 07 14:10 2022 Page 2

| | | | IS IN THE CITY LIMITS |
|---|------------------------|------------------|---|
| 2022-07-04/23:15:53 | SPI | HEC032 | OF HOUSTON {PCRM7} (Stmnt) DID YOU OR SOMEONE ELSE WITNESS |
| 2022-07-04/23:15:54 | SPI | HEC032 | THE CRIME TAKING PLACE? (Select) YES - SOMEONE WITNESSED THE CRIME {PCRM8} |
| 2022-07-04/23:15:54 | SPI | HEC032 | (Stmnt) WERE WEAPONS INVOLVED? |
| 2022-07-04/23:18:52 | SPI | HEC032 | (Select) NO - WEAPONS WERE NOT INVOLVED {PCRM9} |
| 2022-07-04/23:18:52 | SPI | HEC032 | (Stmnt) HOW MANY SUSPECTS ARE INVOLVED? (Add in Remarks: Race/Sex/Age/Clothing/O n Foot/In Vehicle/Direction) |
| 2022-07-04/23:18:54 | SPI | HEC032 | (Select) 1 SUSPECT. {PACCRM5} |
| 2022-07-04/23:18:55 | SPI | HEC032 | (Stmnt) CLICK "ACCEPT" TO OBTAIN POLICE RESPONSE CALL CODE, THEN CLICK "CONTINUE" FOR FURTHER INSTRUCTIONS. |
| 2022-07-04/23:18:56 2022-07-04/23:18:56 | SPI SPI | HEC032 HEC032 | (Accept) 5303 (Select) |
| 2022-07-04/23:18:56 2022-07-04/23:19:12 2022-07-04/23:49:16 | SPI ENTRY EXPIRE | HEC032 HEC032 | (Stmnt) Pending event expired |
| 2022-07-04/23:50:27 2022-07-04/23:50:27 | XREF DUP | TAC2 TAC2 | after 30 MIN #P088557522-L DUP |
| | | | |

88557522

Suppl No: ORIG



Houston Police Department 1200 Travis Street Houston, Texas 77002 713-884-3131 Emergency Dial 9-1-1 Reported Date 07/04/2022

Offense Report Title
Criminal Mischief (Reckless Damage) <\$2500

Officer Name THOMAS, D R

| gency | | | | | Incident # | | | Suppl. No. | | Reported | Date | | Reported Time |
|------------------------------------|-----------------------------------|------------------|----------------|------------------------|------------|-------------|---|------------|----------------------|----------------|--------------|------------------------|---------------------|
| | TON PO | LICE | DEPART | MENT | 88557 | 5-22 | | ORIG | | 07/04 | /202 | 2 | 22:47 |
| Status Repo | rt Wri | tten | or to | Follow | | | Report Title inal Mischief (Reckless Damage) <\$2500 | | | | | | |
| CAD Cal | | | | Special E | vent Code | | | | | | | | |
| Address | 1 KEMP | WOOD | DR | | | | Offens HARI | e County | | City | ON | | Zip Code 77043 |
| Dist/Be | at | Station | | District | From Date | 2 | From T | îme | To Dat | he | To Time | | Primary Unit |
| 4F20 | | NW | | 04 | 07/04 | /2022 | 22:4 | 17 | | | | | 4F21N |
| | Name/Emplo | | 171555 | | | | Divisio | | b - 1 | Nights | - Pat | rol | |
| Report | Entered By/E | mployee | # | | | | Divisio | n | | _ | | | |
| THOMAS, D R / 171555 | | | | | Nor | thwest | t - 1 | Nights | - Pat | rol | | | |
| RMS Transfer | | | | Property | Proper | ty Trans St | at | | | Weather | | | |
| Succ | Successful Yes | | | | Yes | Suc | cessfu | 11 | | | CLEAR | | |
| | d Loss Value 00 to \$2 | | (Stat | ce Jail H | Gelony) | | | | | | | | |
| Langua NONE | ge Translator | , | Gang C | Crime | NO NO | e | Family NO | Violence | Foster NO | Care Fac. | Mental NO | I <mark>llne</mark> ss | Metal Theft NO |
| | al Officer/Em IAS , D | | | | | | | | | | Approva | date 5/2022 | Approval Time 04:25 |
| Offense 1 | # | Offense | | Offense Des Crimina | | hief (| Reckl | ess D | amag | e) <\$250 | 0 | Complaint Dispat | |
| PER: | SON SU | MMA | ARY | | | | | | | | | | |
| Invi ARR | Invl# | Type I | Name DENNIS | S, TERRY | JEROM | Œ | | MNI 121 | 0850 | PRN 6552618 | Race B | Sex M | DOB |
| invi CAB | Invl# | Туре В | Name HEB | | | | | MNI 312 | 25898 | PRN 6552622 | Race | Sex | DOB |
| | Invl# | Туре | Name CARMOI | NA, CHRI | STIAN | DANIE | ь | MNI 489 | 9 <mark>584</mark> 8 | PRN 6552623 | Race W | Sex M | DOB |
| | Invl# | Туре | Name RODRIC | GUEZ,RA | YMOND | ARTHUI | R | MNI 473 | 0604 | PRN 6552621 | Race W | Sex M | DOB |
| COM Invl | 1 | | - | | | | | | | | | | |
| COM nvl WIT | | ımma | ary | | | | | | | | | | |
| Invl Invl WIT Prop | 1 erty Sument | Descript | | W U BR | AN Con | venie | nce s | store | gla | ss | | | |
| Involved Damag royed ized | 1 ment ged/Dest i/Vandal | Descript A: Y | tion | | | | nce s | store | gla | ss | | | |

APPENDIX 000147

Printed At

01/03/2025 10:58

| Arrested Person | | I Indi | | 07/04/2022 | | |
|--|---|--|--|--------------------|-----------------|-------------|
| Name (Last, First, MI) DENNIS, TERRY JEROM | E | MNI 1210850 | Race Black, Bla Hispanic o African An | or | Sex Male | |
| DOB Age 4 | Hispanic 7 Not Hispanic/Latin | 10 | (N) | Juvenile No | Height 5 ' 08 " | Weight 220# |
| Hair Color Black | Eye Color Brown | Comple Dark | xion Brown | Build Heavy | | |
| Glasses No Glasses Worn | Extent of In | njury | | | | |
| General Appearance Casua1 | | air Description ald | | | | |
| Facial Features Face – Round | | | | | | |
| Mark Type NONE | Mark Code | MarkDescription | | | | |
| Clothing Blue Shirt T-Shirt | Blue Pants Jeans | | | | | |
| DWI Involved? Marital Status Singled | Citizen of United States - Am Citizen | ality ican Nationality (United es) | | | | |
| Address Type Addre Home 939 | | Beac | | Dat 0.7 | te 7/05/20 | 22 |
| City HOUSTON | State Zip Code TX 77078 | Map Coordinates -95.251909/29. | 850591 | | | |
| Phone Type Home | Phone Number (0 0 0) 0 0 0 - 0 0 0 0 | | Date 07/(| 04/2022 | | |
| E-Mail Type Email Other 000 | | | | | | |
| DType State Issued Drivers | License / ID Card # | Number | | Issued By Texas | | |
| DType FBI Number | | Number | | Issued By | | |
| DType State Criminal Ident (SID) | | Number | | Issued By | | |
| IDType FBI Number | | Number | Issued By | | | |
| DType State Criminal Ident (SID) | | Number | | Issued By | | |
| (SID) DType Juvenile Identificat | | Number | | Issued By | | |
| Relationship Unknown | Name (Last, First MI) NONE | | | , | | |
| DOB Race | Sex | Phone Type | | Phone No |) | |
| Address | City | | State | | 7in Code | |

| Employer/School | | | | | | | | Occupatio | n | | | | |
|------------------------------|--|-------------------|------------------|----------------|-------------------------|-------|------------------------|--------------|-------------------------|----------|-----------|--------------|---------|
| Contact | | | | | | ī | Employed From | | | Er | mployed | То | |
| Saw Susp Oper Veh | n? Susp/Pa | ss Intox. | | Susp In A | n Acc?/Wit Saw Acc? Dis | | | Dispo Of F | ass | | | | |
| Vic/Off Age | Residence Status Resident | | Domestiv \ | /iolence | OFN_INVL | Ī | Sexual Assa | ult | t Sexual Assault Injury | | | | |
| Involvement Arrested | Arrest Type On-View Arrest / Dispatch Arrest | Arrest Date 07/05 | | | Arrest Time 00:30 | | ooking No 2-0023453 | | Status Booked | | | | |
| Disposition | Arrest Loc | | | | City | | | | _ | District | | Beat | |
| Felony | 10251 | KEMPW | OOD DR | | HOUS' | TON | 1 | 4F2 | 0 | | | 04 | |
| Armed With | | | | | Transported Unit - | - Tra | nsported By | | | | | | |
| Unarmed | | | | | 4F21N - 1715 | 555 | / THOMA | S, DR | 2 | | | | |
| Physical Condition | | | | | | | | | | | | | |
| | th/Claims G | Good/Ok | - | | | | | | | | | | |
| Place of Birth | | | | | City of Birth | | Mı | ıltiple Cha | rges | | Mult | tiple Arrest | s |
| Texas | | | | | HOUSTON | | 1410 | intipic cita | iges | | N | | , |
| BAC Time | BAC2 Time | BAC3 | Time / | Attitude | Balance | | Еує | es | Odor | | Spe | Speech | |
| | | | | | | | | | | | | | |
| Physical Condition GOOD HLTH | | Breath | | | Walking | | | | | Turning | | | |
| Charge Code CRIM MISCH | IEF FEL | | Charge Crimin | ıal Mi | ischief - F | elo | ony | | Le F | vel | | Attempt | Counts |
| Authorized By 00000 | UNASSIGNE | D, U | | | Hold Dvision Other Bo | | | her Boo | king No | | | | |
| Arrest Details SUSPECT BI | ROKE GLASS | ON CON | IVENIEN | ICE S | TORE | | | | - | | | | |
| Charge Code | | | Charge | | | | | | l e | vel | | Attempt | Counts |
| | BURG & THEFT | | | s For | Burglary | And | l Theft | | H | | | c.cinipt | 20 0110 |
| Authorized By 00000 | UNASSIGNE | D, U | | | Hold Dvision Other E | | | her Boo | Booking No | | | | |
| Arrest Details SUSPECT BI | ROKE GLASS | ON CON | IVENIEN | ICE S | TORE | | | | | | | | |
| | nt - Busines | | | | | | | | | | | | |
| Involvement | | | | | Invl N | lo | Туре | | | | | Reported | Date |
| Complainar | nt - Busine | ess / G | Sovernm | nent | 1 | - | Busine | ess | | | | 07/04 | /2022 |
| Name HEB | | | | | | | MNI 312589 | 98 | | 1 | | | |
| Address | | | | | | | | | | | le : | | |
| Address Type Home | Address 10251 | KEMPW(| OOD DR | | | | | | | | Dat 07 | e /04/20 | 22 |
| City HOUSTON | | | State TX | Zip Code 77043 | | ates | | | | | | | |

Case 4:23-cv-02823 Document 34-1 Filed on 01/22/25 in TXSD Page 150 of 718

HOUSTON POLICE DEPARTMENT

| Phone Type Cell - Mc | bile | | Phone Number (713) 996 | -0009 | | | | Date 07/04/2022 | | | | |
|----------------------------------|---|-----------------|---------------------------|--------------------|-----------------|---------------|-----------|------------------|--------------------|-----------------|----------------|--|
| E-Mail Type Other | | Email 000 | | | | | | | | | | |
| Saw Susp Oper Ve | h? | Susp/Pass | Intox. | Susp In Acc | :?/Wit Saw Acc? | | Dispo O | l Pass | | | | |
| | | | | | | | | | | | | |
| IBRS Info | | | | | | | | | | | | |
| Victim Invl No | Aggrava | ted Homicid | e | | Justifi | able Homicide | 9 | | | | | |
| Related Offenses Destructi | on, da | amage, | vandalis | n | | | | | | | | |
| Type of Injury | | | | | | | | | | | | |
| Complaina | ant 1: (| CARMO | NA,CHRIS | TIAN DAN | IIEL | | | | | | | |
| Involvement | | | | | Invl N | | | | | Reported | Date | |
| Complaina | nt | | | | 1 | Indi | vidual | L | | 07/04 | /2022 | |
| Name (Last, First, CARMONA, C | (Last, First, MI) MNI Race MONA, CHRISTIAN DANIEL 4895848 White or Wh Hispanic | | | | | | nite | Sex Male | | | | |
| DOB | | Age 29 | Hispanic Hispanic | or Latino |) | | (Y) Juver | | | Height 5'06" | Weight 140# | |
| Hair Color Brown | | | | Eye Color Brown | | | | Complexion Build | | | d | |
| Glasses | | | | Extent of Ir | njury | | | | | | | |
| DWI Involved? | Marital : | Status | Citizen of | | | Nationa | lity | | | | | |
| Address Toron | | Addesse | | | | | | | In. | | | |
| Address Type Home | | Address 3503 | DEEDS RD | | | | | | Date 07/05/2022 | | | |
| City HOUSTON | | | State TX | Zip Code 77084 | Map Coordina | ates | | | | | | |
| Address Type Mailing | | Address 3503 | DEEDS RD | | | | | | Dat 07 | e /05/20 | 22 | |
| City HOUSTON | | -1- | State TX | Zip Code 77084 | Map Coordina | ites | | | | | | |
| Phone Type Cell - Mc | bile | | Phone Number (281) 723 | -2493 | | | | Date 07/04 | 1/2022 | | | |
| E-Mail Type Other | | Email 000 | | | | | | | | | | |
| IDType State Issu | ed Dri | vers L | icense / I | | Number | | | | Issued By Texas | | | |
| ID Type State Issu | ed Dri | vers L | icense / I | | Number | | | | Issued By Texas | | | |
| Saw Susp Oper Ve | h? | Susp/Pass | Intox. | Susp In Acc | :?/Wit Saw Acc? | | Dispo Of | f Pass | J | | | |
| Vic/Off Age | Residen | ce Status | Dome | stiv Violence | OFN_INVL | Sexual A | ssault | Sexual As | ssault Injury | | | |
| eport Officer | | | | Printed A | 1+ | | | | | | | |

88557522

Resident Ν

Victim Invl No Aggravated Homicide Justifiable Homicide

1

Related Offenses

Destruction, damage, vandalism

Type of Injury

| Annual Control of the | | |
|--|----------------|---------------|
| NA/ibio o o o 1 . | | RAYMOND ARTHU |
| I WATER ASS | KIIIIKIISIIE/K | 8 |
| LAAIRIICOO T. | NODNIGOLEN | |

| In <mark>volvement</mark> | | Invl No Type | Reported Date | | | | |
|------------------------------|--------------------|--------------------------------|----------------|--------------------------------|----------------|----------------|-------------|
| Witness | | | 1 Indi | | 07/04/2022 | | |
| Name (Last, First, RODRIGUEZ | MI) ,RAYMOND AR | THUR | MNI 4730604 | Race White or W Hispanic | hite | Sex Male | |
| DOB | Age 28 | Hispanic Hispanic or Latino | | (Y) | Juvenile No | Height 5 ' 02" | Weight 144# |

Hair Color Eve Color Complexion Build

Black Brown

Glasses Extent of Injury

| DWI Involved? | Marital Status | Citizen of | Nationality |
|---------------|----------------|------------|-------------|
| | | | |

| Address Type | Address | Date |
|--------------|--------------------------|------------|
| | 16400 ACHTINI MINDEDG IN | 07/05/2022 |

Home 16402 ASHLYN TIMBERS LN 07/05/2022

City State Zip Code Map Coordinates MAGNOLIA TX77355

Address Type Address Date 16402 ASHLYN TIMBERS LN 07/05/2022 Mailing

City State Zip Code Map Coordinates

77355 MAGNOLIA TX

Phone Number Date Phone Type

(832)513 - 0699Cell - Mobile 07/04/2022

Email E-Mail Type Other 000

ID Type Number Issued By State Issued Drivers License / ID Card # Texas

Saw Susp Oper Veh? Susp/Pass Intox. Susp In Acc?/Wit Saw Acc? Dispo Of Pass

| | perty | | | | | | |
|------|--------------------------------|---------|------------|----------|--------|--------|---------|
| Prop | # Involvement | Invl No | Invl Date | Security | Tagged | Tag No | Item No |
| | 1 Damaged/Destroyed/Vandalized | 8001 | 07/04/2022 | N | N | | |

Type

Article Other/Items Not Listed in the Article Name

IBRS Type Article Window Other

Report Officer APPENDIX 000151 171555

Printed At

01/03/2025 10:58

HOUSTON POLICE DEPARTMENT

88557522

| | 0.0.0 | | | | | | 0000 | , , |
|---|-------------------|-------------------|----------------|-------|---------------------------|-----|------------------------|----------|
| Description # Convenience store glass | | | | | | | † Pieces Value \$ 4 | ,000.0 |
| Entered Date Entered Time RMS Transfer 07/05/2022 01:19 S | | Control 165897 | 0724222017 | | Reported date $07/04/202$ | 22 | | |
| Brand Unknov | wn Brand | | | Model | | | | |
| | nvl Invl N COM | | CHRISTIAN DANI | EL | | DOB | Race W | Sex M |
| | | | | | | DOB | Race W | Sex M |
| | nvl Invl N ARR | | RRY JEROME | | | DOB | Race B | Sex M |
| | nvl Invl N CAB | o Name 1 HEB | | | | DOB | Race | Sex |

All Property Notes

| Modus Operandi | | | | | | |
|-----------------------------|-------------|-------------------------------|-------------------|--------|--------------------|--|
| Gang Act Gang Name ${ m N}$ | | | Victim's Sex Vict | | | |
| Entry Location | | Arson Inhabited | Alarm | Oddity | | |
| Premise Type Convenience | Store | | | | | |
| Hate Crime Date | Cargo Theft | Body Worn Video Body Video | Not Reviewed | | Victim's Age Group | |

Brief Incident Summary

SUSPECT WAS ARRESTED FOR CRIMINAL MISCHIEF, HE BROKE THE WINDOW OF A CONVENIENCE STORE.

Incident Narrative

ALL BWCs ON SCENE:

===========

171555 THOMAS

107853 MCGILL

INTRODUCTION:

=========

I, Officer Thomas, while riding 4F21N, on 07/04/2022, were dispatched to a disturbance/cit call, which later turned out to be a criminal mischief call, at 10251 Kempwood Dr, Houston, Texas 77080 in Harris County, Texas.

I was dispatched at 2355 and arrived on scene at 0004hrs.

COMPLAINANT STATEMENTS:

HEB - 10251 Kempwood Dr - 713-996-0009

Christian Daniel Carmona - DL Ph 281-723-2493 - Store Director The complainant, Mr. Carmona, stated that he went to the HEB gas station with the security guard, the witness, who said the defendant was banging on the gas station window at HEB. He stated the defendant was saying that he wants the cops to be called so he can

Report Officer APPENDIX 000152

Printed At

88557522

be picked up and go where he needs to go. The complainant stated he called the cops but the defendant was still angry and escalating. He stated the defendant said he wanted a cigarette so the complainant gave him a cigarette but he was still getting more angry. The complainant stated he left the location with the security guard for about 5 minutes and came back and the defendant was still by the glass and was still angry. He stated the defendant took off his prosthetic leg and started hitting the glass and smashing it. He stated that it will cost around \$4,000.00 to replace the glass window. He stated that he tried his best to work with the defendant, but the defendant would not work with him. He stated that HEB wants to press charges.

WITNESS STATEMENTS:

Raymond Arthur Rodriguez, the fourth - DL Ph 832-513-0699 - Security guard for HEB

The witness, Mr. Rodriguez, stated that he on viewed the defendant banging on the glass. He stated that he watched the defendant take off his right prosthetic leg and start hitting the glass window and smashing it. He stated the defendant was escalated and started moving towards him but the witness drew his tazer and pointed it at him and the defendant stopped advancing towards him. He stated he placed the defendant in handcuffs while they waited for police.

REPORTEE STATEMENT:

Same as complainant.

OFFICER'S PARAGRAPH/SCENE DESCRIPTION:

The HEB is located on the south side of Kempwood Dr. The gas station is in the parking lot on the east side of the lot and is located on the corner of Kempwood Dr/ Gessner Rd. I observed the entire glass window of the gas station to be heavily cracked.

OFFICER'S ACTIONS:

Upon my arrival, I met with the complainant, and witness. I collected their information and statements. I met with the suspect and collected his statement. Me and Officer P. Mcgill placed the defendant in the back of my patrol car. I collected the suspects name and called the DA's office. ADA Stephen Harris accepted charges for Criminal Mischief - State Jail Felony. I transported the defendant to JPC and booked him. I completed this ORI and charges. JPC SGT. Pruitt accepted and reviewed charges.

DISPOSITION:

=========

I completed this ORI and charges.

SUSPECT STATEMENTS:

Terry Jerome Dennis - ID

PROPERTY/EVIDENCE FOUND OR RECOVERED:

None found or recovered.

Report Officer
171555 APPENDIX 000153

Printed At 01/03/2025 10:58

Case 4:23-cv-02823 Document 34-1 Filed on 01/22/25 in TXSD Page 154 of 718

HOUSTON POLICE DEPARTMENT

88557522

Suppl No: 0001



Houston Police Department 1200 Travis Street Houston, Texas 77002 713-884-3131 Emergency Dial 9-1-1 Reported Date 02/21/2023

Offense Report Title
Criminal Mischief (Reckless Damage) <\$2500

Officer Name ALCARAZ, L S

| Administrative Informati | on | | | | | |
|---|--------------------------|-------------------------|---------------------------------------|-----------------|------------------------|----------------|
| Agency HOUSTON POLICE DEPARTM | IENT | Incident # 885575-22 | Suppl. No. 0001 | | orted Date /21/2023 | Reported Time |
| Status Report Written or to F | ollow | | _{eport Title} .nal Mischi | ief (Rec | kless Damage) | <\$2500 |
| CAD Call Type BURG | Special E | vent Code | | | | |
| Address 10251 KEMPWOOD DR | | | Offense County | City HO | USTON | Zip Code 77043 |
| Dist/Beat Station 4F20 NW | District 04 | From Date 07/04/2022 | | To Date | To Time | Primary Unit |
| Officer Name/Employee # | Division | | | | | |
| ALCARAZ, L S / 162879 | Central - Night - Patrol | | | | | |
| Report Entered By/Employee # ALCARAZ, LS / 162879 | | | Division Central - | Night - | - Patrol | |
| RMS Transfer Successful | | Property No | Property Trans Sta | | Weather | |
| Esimated Loss Value | | | | | | |
| Language Translator Gang Cri | me | Hate Crime | Family Violence | Foster Care Fac | c. Mental Illness | Metal Theft |
| Approval Officer/Empoloyee # | | | | | Approval date | Approval Time |
| ALCARAZ, L S / 162879 | | | | | 02/21/2023 | 12:58 |

| Gang Act Gang Name | | | Victim's Sex | x Victim's Race | |
|--------------------|-------------|-------------------------------|--------------|-----------------|--------------------|
| Entry Location | | Arson Inhabited | Alarm | Oddity | |
| Hate Crime Date | Cargo Theft | Body Worn Video Body Video | Not Revie | ewed | Victim's Age Group |

Brief Incident Summary

SUSPECT ARRESTED FOR WARRANT RELATING TO THIS CASE.

Incident Narrative

HOUSTON-POLICE DEPARTMENT

88557522

INTRODUCTION AND ACTIONS:

On 02/21/2023 I, Officer L. Alcaraz, riding unit 2A54D was dispatched to a CIT/Disturbance located at 2901 Airline Dr, Houston, Harris County, Texas, 77009. The call was in regard of a crimnal mischief with Mr. Dennis as the suspect. As I was conducting my investigation of the Crimnal Mischief, I ran Mr. Dennis through my MDT and found that he has an active warrant out for his arrest for this case number. I confirmed the warrant with the Harris County warrant division.

After the investigation was completed, Mr. Dennis was charges with two felony offense and booked in at the Joint Processing Center. Paper warrant was filled out and completed by me at the Joint Processing Center.

See incident number: 256105-23.

Ahmed Declaration Exhibit CC

news report about different
Allied security guard's
use of force —
pepper spray and dragging female

Live News

Weather

Morning News

Sports

Uploads

Tell 26

More:

Security guard at Kroger accused of racially profiling, assaulting **Black women**

By Gabby Hart | Published June 29, 2022 11:03pm CDT | Houston | FOX 26 Houston |

Security guard at Kroger accused of racial profiling

FOX 26 Reporter Gabby Hart has more on the incident and has reaction from community activists.

HOUSTON - A security guard at Kroger is under fire for allegedly racially profiling three different Black women in separate interactions, assaulting one of them and yelling racially insensitive remarks at another.

All three encounters were captured on video. On June 21, Shelondra Peavy recorded her inside the Kroger on 249 and Antoine.

MORE CRIME AND PUBLIC SAFETY

She says she couldn't carry anymore in her hands, so she dropped some of her items in a clear Kroger produce bag and continued shopping. That's when she says the Allied Universal Security guard seen in the video accused her of stealing. During their encounter, the guard can be heard admitting that he called her "Black and ugly."

Just two months prior on April 13, Stephanie Teel, a woman with special needs had an encounter with the same security guard.

Stephanie was with her cousin, Kamesha Sterling, when she opened a Kroger burger inside the store and started eating it. Sterling says she had every intention of paying for it when they got to the register. <mark>But the security guard approached them, an</mark> altercation ensued, and eventually, he pepper-sprayed and dragged Stephanie from the store.

One month later, Stephanie's cousin recorded another interaction with the same guard; he can be seen on video following her from the store and asking her if she had something in her bag.

"He should be terminated, and he also should be arrested," said community activist Quanell X.

Quanell and Doctor Candice Matthews got word of these incidents, and they went to Kroger to speak with the security guard.

"Baby, it's about to get ugly, because we're bringing the hammer of accountability all the way here to this Kroger, and you're going to lose your job," Dr. Matthews said.

RELATED: Woman shot, killed during 'possible disturbance' in east Harris County: Sheriff

None of the women involved were arrested or charged for shoplifting.

Kroger sent FOX 26 the following statement:

"At Kroger, the safety of our associates and customers is one of our core values. We expect all third-party contractors to live up to those values, which also include respect, diversity, and inclusion. The Allied Universal Security Guard in question will no longer service Kroger stores. We will not tolerate this type of behavior from third-party providers that operate within our stores."

Houston News Crime and Public Safety

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News video available here:

 $\underline{https://www.fox26 houston.com/news/caught-on-cam-kroger-security-guard-accused-of-racially-profiling-assaulting-black-women$

And here [AhmedAllied 000791]:

https://vimeo.com/1048774780/72f9072630?ts=0&share=copy

Ahmed Declaration Exhibit DD

video — two different Allied security guard's use of force beating male already on the ground

News video available here:

 $\underline{https://grizzyshoodnews.com/more-questions-than-answers-little-york-and-59/\#}$

And here [AhmedAllied 000790]:

https://vimeo.com/manage/videos/1048774780/72f9072630

Ahmed Declaration Exhibit EE

fabricated discipline forms

ALHEDUNIVERSAU

COACHING – COUNSELING – DISCIPLINARY NOTICE

Security Professionals/Service Employees **Employee Name** Employee ID Branch/Department Position Title Patrick Freeney Client Site HFB Houston Supervisor Union Yes O No Union Name/Local **Probationary Period** ☐ Currently ☐ Past Union WORK HISTORY - Prior coaching/counseling or disciplinary action issued_By Description/Reason Type of Action(s) Verbal Warning Written Warning Final Warning/Suspension CURRENT SITUATION - INFRACTION/PERFORMANCE ISSUE(S) - List as applicable. Attach additional pages if necessary. Work Rule Violation mart CONVIORIN Performance Attendance FACTS - Provide details of the situation (Who, What, Where, When, How). Attach additional pages if necessary. 2-14-2002, St Tusana Ahmed appeared on Site an unkept uniform (Dirty paints, Dark gray shoes.) EXPECTATION - Detail the future behavior that is expected. Attach additional pages if necessary. Refer to AUS Employee Handbook. CORRECTIVE ACTION - Determine next steps, follow-up and/or consequences. Attach additional pages if necessary. Recommendation: Whitten warring Dexpectation is o have SP make the Mecessary corrections represt Unitor m **DOCUMENTATION OF CORRECTIVE ACTION** Agree Written Warning Effective Date Verbal Warning Final Warning Termination Unpaid Suspension* Dates of Suspension From To Paid *Unpaid disciplinary suspensions of greater than one day require review with Regional HR Manager or Director in advance **ACKNOWLEDGEMENT** I acknowledge that this Coaching-Counseling-Disciplinary Notice has been reviewed with me. By signing below, I acknowledge a copy has been given to me and that a copy will be placed in my personnel file. I understand that signing this document does not constitute agreement and I may provide a rebuttal statement which will also be placed in my personnel file. Any other performance deficiency and/or policy violations may result in further disciplinary action up to and including termination. O Agree O Disagree **Employee Comments:** Date Employee Signature Employee Name Manager/Supervisor Signature Date Manager/Supervisor Patrick G. Freeney

Witness Signature

Copy - Supervisor

Copy - Employee

Witness Name

Original - Personnel File



COACHING – COUNSELING – DISCIPLINARY NOTICE

Security Professionals/Service Employees TWANA Employee ID Employee Name Security Professional Branch/Department Position Title HEB Houslan Supervisor Patrick Freeney Client Site ☐ Currently ☐ Past Union Union Name/Local Probationary Period Union Yes No WORK HISTORY - Prior coaching/counseling or disciplinary action Issued By Description/Reason Type of Action(s) Verbal Warning Written Warning Final Warning/Suspension CURRENT SITUATION - INFRACTION/PERFORMANCE ISSUE(S) - List as applicable. Attach additional pages if necessary. 04042022-Aduce of Customer, Employee, visitor Work Rule Violation third party, including Eightine provoking Performance Attendance disorderly, reckless mapproprie FACTS - Provide details of the situation (Who, What, Where, When, How). Attach additional pages if necessary. ON 4-4-2022, SP TWANA AHMED (EMPLOYEE # 9352791) Was INVOLUTED IN A USE OF FRECE INCIDENT ON CLIENT PROPERTY THAT WAS EXECUTED OUTSIDE OF A SUSPECTED SHOPLIFTER PRIOR PCCEPTABLE PERAMETERS BY "ARRESTANG" TO THE SUBJECT LEAVING THE BLDG. **EXPECTATION** – Detail the future behavior that is expected. Attach additional pages if necessary. Refer to AUS Employee Handbook. CORRECTIVE ACTION - Determine next steps, follow-up and/or consequences. Attach additional pages if necessary. Recommendation: **DOCUMENTATION OF CORRECTIVE ACTION** Agree Effective Date Termination Verbal Warning ☐ Written Warning \Box Final Warning Unpaid From Suspension* Dates of Suspension *Unpaid disciplinary suspensions of greater than one day require review with Regional HR Manager or Director in advance ACKNOWLEDGEMENT Lacknowledge that this Coaching-Counseling-Disciplinary Notice has been reviewed with me. By signing below, Lacknowledge a copy has been given to me and that a copy will be placed in my personnel file. I understand that signing this document does not constitute agreement and I may provide a rebuttal statement which will also be placed in my personnel file. Any other performance deficiency and/or policy violations may result in further disciplinary action up to and including termination. Disagree O Agree **Employee Comments:** Date Employee Signature Employee Name Manager/Supervisor Patrick G. Freeney Date Manager/Supervisor Signatul Witness Signature Witness Name Rev 17MAR2021 Copy - Supervisor

Copy - Employee

Original - Personnel File

Exhibit 2

Declaration of Mauro Siboldi

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

| Twana Ahmed, | § | |
|--|---|--------------------------------|
| | § | |
| Plaintiff, | § | CIVIL ACTION No. 4:23-cv-02923 |
| | § | |
| VS. | § | Jury Demanded |
| | § | |
| Universal Protection Service, LP d/b/a | § | |
| Allied Universal, | § | |
| | § | |
| Defendant. | § | |
| | | |

DECLARATION OF MAURO SIBOLDI

- 1. My name is Mauro Siboldi. The facts and statements that I make in this declaration are true and accurate to the best of my recollection. Unless otherwise stated or apparent from my testimony, I have personal knowledge of the facts and statements that I make in this declaration. I was told that "personal knowledge" means that I personally witnessed or experienced something using one or more of my senses, like sight, hearing, smell, or touch. I was also told that "personal knowledge" includes how I feel.
- 2. I am a United States citizen and I am over 18 years old. I am a Hispanic male. I was born in Montevideo, Uruguay. I moved to the U.S. when I was about five years old. I am not Muslim and have never practiced the Muslim faith.
- 3. I have a lot of experience in the security industry. I am a military veteran. I previously worked for Brinks in a security position. I also used to work for the loss-prevention department at a hotel in the Galleria area in Houston, Texas.
- 4. I was first hired with Allied Universal around December 2021, at a hiring event in a hotel in Houston. The first time that I met Twana Ahmed was there at the Allied hiring event.

- 5. The hiring process was a fairly quick process. They had some chairs set out in a hallway near a couple of ballrooms and they would call you up one by one and go over your resume. If they thought that you were a good fit then they would basically on the spot offer you a position.
- I remember at the hiring event there were several computers, and maybe six different people that each had a desk and a computer. When it was my turn, there was one person, a woman sitting at a computer and a desk. I sat down by her, but I never actually used the computer. The woman sitting at the desk went over my resume and filled out the application and entered some of my personal information into the computer. Occasionally the woman at the computer would show me things to confirm my personal information. After that I remember at some point filling something out online at home. I do not remember any discrimination or harassment training on the computer that day. I do not remember ever receiving any training with Allied about discrimination or harassment. I do not remember doing any kind of new employee orientation with Allied on that day or any day after that.
- 7. I was hired by Allied for a special team, called the Elite team. For that team, Allied hires armed guards. That team was designated to work for H-E-B grocery stores.
- After I was offered the job on the spot, about a month later, in January 2022, I went 8. in person to complete the Elite training, which was about a week long. The training was partly at a gun range, out near Fulshear, for about one or two days. Then the rest of the training was at the Allied office. The total training lasted about seven days. Twana Ahmed was in the same training class with me. Most of us in the class were from a military background, from a law-enforcement background, or both.
- I remember that when we were at the gun range, we were all in line together, side by side. I think Twana was right next to me. I remember that Twana had some issues with his gun not working. I remember that Monroe, the instructor had to lend Twana another gun in order for him to qualify for the gun range test.
- In the classroom for the Elite training, I remember a medium-sized room with some desks. They would show us some slides, over a variety of subjects. I remember that we took some tests and for at least one of the tests they gave us the answers to the test.
- I met Patrick Freeney during the classroom training. Patrick was the director of the Elite program. I think the extent of my contact with Patrick was basically in the

classroom trying to ask him questions. And most of the times he would avoid my questions. They had been telling us in the class, you guys can't make certain mistakes because then you can get sued or get fired. All of us were on edge, and we didn't want to make mistakes. So, we would constantly, all of us, be asking questions. For example, we would ask, "So, in this scenario, I would assume that you would need to take this route. What is your advice on that?" He would not answer and he would be rude about it when you are legitimately trying to figure out how to handle the situation. He was really aggressive and rude when you would try to talk to him. That is something that stuck out to me. A couple of times he would go, "dah dah dah dah" to try to cut people off and not let other people talk. He was very aggressive about not letting people talk. I know that at one point I got kind of frustrated, and I told him, in front of the class, "Hey, I understand that you are trying to answer everyone's questions, but you have to actually answer the questions, because we are not actually getting a solid answer for anything." So, for example, we would ask him something, and he would literally stray off and talk about something completely different. He wouldn't answer anyone's questions. We would ask, "In this situation, can we do this?" And he would literally stray off to something else and not answer the question. And every time you would remind him, "Hey you didn't answer the question," he would do exactly the same thing. That was something that didn't sit well with me.

- I observed Patrick Freeney to be very rude and pretty sarcastic. He had a really bad attitude. He was difficult to talk to. That's one of the reasons that I found myself getting very frustrated. I consider myself to be someone with a fair amount of patience. I have three kids. I have plenty of practice being patient by now. In security you want to be as thorough as possible when you go through your training, so you are well suited for anything that may occur in the field. So, all of us had a lot of questions. He was sarcastic most of the time. And he gave you the run around on almost every question that you asked him. I did catch many times that he was sarcastic and rude with his tone of voice and in the things that he said. I felt that feeling a lot. I remember on multiple occasions thinking, "is he really talking to the class like that?" We are asking legitimate questions. Is he really giving us these types of answers? I mean, he's not answering and he's being sarcastic. I felt like that was super unprofessional.
- At some point during the class in the office, I remember Twana told me that Patrick told him to shave his beard. I also remember that Twana asked a question during class about his religion, and I am pretty sure that it was regarding his beard. No one from Allied ever asked me to shave my beard.

This is an accurate picture of me during our training:



During the class, I remember Allied gave us some training for H-E-B, but I don't remember signing paperwork for it. Everything I thought was very minimal, nothing was really in-depth. So, we were constantly asking a lot of questions, because

- we just didn't know. We asked for example, "What if this? What if that?" Most things were very unclear.
- I don't remember anything that we covered being thorough. We tried to finalize all of our questions with Patrick. We were supposed to be asking him all of our questions to get clarification on all of those protocols, but they didn't give us much clarity pertaining to anything. I've been in this industry for a while. I feel confident in my ability to deal with stressful situations. I have military experience as well. If I did this training without that experience, I would not have felt very confident in going into that job.
- I remember that Allied went over their use of force policy in the training. We went over different types of use of force. They tried to explain that we could use a level above the force that was used. I remember being able to use force that was equal to, or one step above the force that was being used to try to neutralize the threat. And I remember that the highest level of force was deadly force. You were allowed to use some force if you were worried about your safety or the safety of others.
- As far as I remember from all of my experience as a security guard, if a security guard is threatened by someone, and if he felt like he was in danger and in fear for his life, or if he believed that the guy was going to hurt him or someone else on his way out, then that is 100% logical to neutralize the threat. I don't believe that Twana putting handcuffs on someone that threatened him with a knife and was stealing was a violation of the use of force policy that we were taught in the Elite program. If he felt like his life was in danger, or the life of anyone else was in danger, it would have been acceptable to put handcuffs on someone.
- Before I accepted the actual job offer with Allied, I told them I had a special situation with my kids and with my wife and her job. I made it real clear that I would need some leniency and that I couldn't just work one day here or two days her and there. I know that in these kind of jobs, they start people out with just one or two days on the schedule. But I told Allied before signing, I would love this position, but I have to start at 40 hours a week. I have to do it full time immediately because I need to put my kids in daycare, and that requires payment in advance. They agreed and told me "That's not going to be an issue."
- I went to the seven days of Elite training and then they didn't really give me anything for like another week or so. Then one of the supervisors called me and he said, "Hey, you're gonna start one day a week at this location." I said, "Wait, I spoke to somebody about this before I signed an offer letter and we agreed that I need to be assigned a full time position because I have to put my kids in childcare

in advance." So, the supervisor basically gave me a real smart aleck remark. And then I told him, "You know, I'm sorry. I don't mean to be rude, but I literally just can't do it. That's the whole purpose of me talking to you guys before I signed the offer. If you guys can find me a full time post, then absolutely, you know I'll drive all I have to drive, and I'll take care of that." He basically was just rude again and told me, "You know what? Patrick wants to see you. Come tomorrow to talk to him at the office." I told him, "I'm sorry, that's not how it works. I'm trying to communicate with you here, but you can't tell me, hey, you know what come here with one day's notice. You guys didn't even give me a post yet."

Then I realized after talking to my wife, that if this job is so unorganized, and there is no communication now, I don't want to work there. I sent an email to Patrick and I tried to call him. He never answered me. I sent him a letter via email and I sent it to Human Resources. And then HR didn't respond so I called a couple days later. I said, "Hey, I wanted to see if you guys got my two weeks' notice." They but two weeks in at any company, you usually put it in to HR. That was another red flag for me. I told HR that I sent Patrick a copy as well and he never responded. The woman said, "You have to send it to him." And that was the extent of it. I couldn't get communication from HR, which I found extremely odd that for such a huge company I couldn't get any communication from HR.

My name is Mauro Siboldi. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my recollection. Executed on Jan 14, 2025

Mauro Siboldi (Jan 14, 2025 10:28 CST)

Mauro Siboldi (Jan 14, 2025 10:28 CST)

.12

Exhibit 3

excerpts from Allied Universal 30(b)(6) deposition

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1
             UNITED STATES DISTRICT COURT FOR THE
 2
        SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION
 3
     TWANA AHMED,
                                 ) CIVIL DIVISION
 4
             Plaintiff,
                                ) NO. 4:23-cv-02823
 5
        -vs-
 6
 7
     UNIVERSAL PROTECTION
     SERVICE, LP, d/b/a ALLIED )
     UNIVERSAL SECURITY
 8
     SYSTEMS,
 9
             Defendant.
10
11
12
                   REMOTE VIDEOTAPED DEPOSITION OF ANNA
13
       SOJA, PMK, located in Texas, commencing at 8:30
14
       A.M. CST, 9:30 A.M. EST, on Friday, September
15
       13, 2024, before ALYSSA A. REPSIK, Court
16
       Reporter and Notary Public in and for the
17
       Commonwealth of Pennsylvania.
18
19
2.0
21
22
23
24
25
```

ANNA SOJA - PMK SEPTEMBER 13, 2024 JOB NO. 1171182

```
APPEARANCES VIA ZOOM:
 1
 2
     FOR THE PLAINTIFF:
 3
     AH LAW, PLLC
 4
     BY: AMANDA C. HERNANDEZ, ESQ.
 5
     5718 WESTHEIMER, SUITE 1000
 6
     HOUSTON, TX 77057
 7
     Amanda@ahfirm.com
 8
 9
     FOR THE DEFENDANT:
10
     MARTENSON, HASBROUCK & SIMON, LLP
11
     BY: NATHAN A. SHINE, ESQ.
12
     500 DAVIS STREET, SUITE 1003
13
     EVANSTON, IL 60201
14
     Nshine@martensonlaw.com
15
16
     OTHER APPEARANCES:
17
     JENNIFER MUNTER STARK, ESQ.
18
     LEGAL VIDEOGRAPHER - TIMOTHY COX
19
20
                       ---000---
21
2.2
23
24
25
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ANNA SOJA - PMK
SEPTEMBER 13, 2024
JOB NO. 1171182

| | SEPTEMBER 13, 2024 | | | |
|----|--------------------|----------|-----------|------|
| 1 | | = | INDEX | |
| 2 | | | -000 | PAGE |
| 3 | EXAMINATION: | ATTORNEY | HERNANDEZ | 6 |
| 4 | | | -000 | |
| 5 | | | | |
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| 7 | | | | |
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| 1 | PROCEEDINGS |
|----|---|
| 2 | THE VIDEOGRAPHER: Good |
| 3 | morning. We are now on the record at 8:36 a.m. |
| 4 | Central Time on September 13, 2024, to begin |
| 5 | the deposition of Anna Soja, Universal |
| 6 | Protection Services, LP, doing business as |
| 7 | Allied Universal Security Services, pursuant to |
| 8 | Fed. R. Civ. P. 30(b)(6), in the matter of |
| 9 | Twana Ahmed versus Universal Protection |
| 10 | Services, LP, d/b/a Allied Universal or |
| 11 | doing business as Allied Universal. |
| 12 | The venue for this case is in the |
| 13 | United States District Court for the Southern |
| 14 | District of Texas, Houston Division. The case |
| 15 | number is 4:23-CV-02823. |
| 16 | This deposition is taking place via |
| 17 | Zoom video conference. The legal videographer |
| 18 | is Timothy Cox, here on behalf of Steno, and |
| 19 | our court reporter is Sara Acklin [sic], also |
| 20 | here on behalf of Steno. |
| 21 | So would counsel please identify |
| 22 | yourselves and state who you represent. |
| 23 | ATTORNEY HERNANDEZ: Amanda |
| 24 | Hernandez for plaintiff, Twana Ahmed. |
| 25 | ATTORNEY SHINE: Nathan Shine, |
| | |

ANNA SOJA - PMK SEPTEMBER 13, 2024 JOB NO. 1171182

```
1
     for Universal Protection Service, LP, doing
 2
     business as Allied Universal Security Services.
 3
                      THE VIDEOGRAPHER:
                                          Thank you,
 4
     Counsel.
 5
                 Would the reporter please swear in
     the witness.
 6
 7
                      ANNA SOJA, PMK, a witness
     herein, having been first duly sworn, was
 8
 9
     examined and testified as follows:
10
                           EXAMINATION
11
     BY ATTORNEY HERNANDEZ:
12
          0.
                 Thank you.
13
                 Do you agree that companies must
14
     protect employees from discrimination in the
15
     workplace?
16
          Α.
                 Yes, I do.
17
          Q.
                 Is that important?
18
                 Yes, it is.
          Α.
19
                 On a scale of 1 to 10 where 1 is not
          Ο.
20
     important at all, and 10 is the most important,
21
     how important is it that companies protect
2.2
     employees from discrimination in the workplace?
23
          Α.
                 10.
24
          0.
                 Why is that important?
25
                 It is important for us to be able to
          Α.
```

```
protect our employees from any discrimination
 1
 2
     based on any race, religion, national origin,
 3
     or any protected classes as stated by the law.
 4
                Is there any other reason why it's
          0.
 5
     important besides the law?
                       It is good for us to foster a
 6
          Α.
                Yes.
     safe and comfortable environment for all of our
 7
     employees, to foster an inclusive and diverse
 8
 9
     environment for our employees.
10
                So it is very important for us to be
11
     able to have an environment where individuals
12
     are able to come into work, feel comfortable
13
     when they're in the work environment and the
14
     individuals they are working with.
15
                Do you agree that companies must
16
     protect employees from retaliation when they
17
     report discrimination?
18
                Yes, I do.
          Α.
19
                Is that important?
          Ο.
20
          Α.
                Yes, it is.
                On the same scale of 1 to 10, how
21
          Ο.
22
     would you rate that?
23
                 10.
          Α.
24
                And why is it important to protect
          Ο.
25
     employees from retaliation?
```

It is important for us to protect 1 2 employees from retaliation in order for them to feel comfortable in the environment they are 3 4 working with and to protect them from any 5 lawful behaviors conducted by other individuals. 6 7 And to make sure that they have an environment that they could work in where they 8 9 don't fear that they will be retaliated against 10 if they brought any matters to our attention. 11 0. Do you agree that companies must 12 protect employees from retaliation when they 13 request religious accommodations? 14 Yes, I do. Α. 15 0. And on the same scale of 1 to 10, 16 how important is that? 17 Α. 10. 18 And why is that important? 0. 19 It is important for us -- for our Α. 20 companies -- or Allied Universal -- to ensure 21 that an individual is able to bring to our 2.2 attention a reasonable accommodation request 23 and for us to review the accommodation request 24 and be able to provide them with an interactive 25 conversation to protect their rights and for us

to be able to review all the information that 1 2 was provided to us to ensure that we are 3 protecting their rights and reviewing the 4 information they brought to us in regards to 5 any accommodations. Do you agree that not protecting 6 0. 7 employees from discrimination or retaliation can be unsafe? 8 9 I do. Α. 10 Is it fine with you if I refer to 0. 11 "Allied Universal" or "Universal Protection 12 Services, LP, " as just "Allied"? 13 Α. Yes. Yeah. 14 Thank you. 0. 15 Are Allied's policies and procedures 16 mandatory? 17 Α. Yes, they are. 18 Allied has a zero-tolerance policy 0. 19 for discrimination and harassment; correct? 20 Α. Yes, they do. 21 And Allied also has a zero-tolerance Ο. 22 policy for retaliation in the work place? 23 That is correct, yes. Α. 24 0. On a scale of 1 to 10, 1 being not 25 important at all and 10 being the most

1 important, how important is it to Allied that 2 it follow its policies and procedures? 3 10. Α. Okay. And on the same scale of 1 to 4 0. 5 10, how important is it to Allied that there be no discrimination in the workplace? 6 7 Α. 10. And same scale, that there be no 8 0. 9 retaliation in the workplace? 10 10. Α. 11 And same scale, that there be no 0. 12 harassment in the workplace? 13 Α. 10. 14 How does Allied ensure that there is Ο. 15 no discrimination in the workplace? 16 Well, Allied does provide several Α. trainings for all individuals for -- from every 17 18 level, from a security professional to senior 19 management, to ensure that they are well aware 20 of what is determined to be discrimination, 21 harassment, retaliation so they're well versed 2.2 and understand that. 23 And we also provide all of our 24 employees on every level a platform to report 25 any reports of discrimination, harassment,

retaliation, hostile work environment, 1 2 bullying, anything that they have felt was an 3 inappropriate conduct in the workplace. 4 You mentioned that Allied provides 0. 5 training to all levels of employees. Allied provide different training to security 6 7 professionals than it does to, say, supervisors or managers? 8 9 It does -- it does determine on the Α. 10 We do have standardized training that 11 everybody receives across the board that's the 12 For example, like, new employee same. 13 orientation training is the same across the 14 board. 15 There are more significant levels of 16 training for higher leadership roles than maybe 17 a security professional would receive. 18 security professionals would receive training 19 that's specific to their specific roles, and 20 same goes for anything that's any levels above 21 that. 22 And just to clarify, so let's say 0. 23 we're talking about a security professional. 24 What -- setting aside their training for their

specific role, what training does Allied

25

```
provide on antidiscrimination and
 1
 2
     antiretaliation laws?
 3
          Α.
                       During new employee
                Sure.
     orientation, all employees must come -- must
 4
 5
     complete three modules followed by a final
 6
     exam.
                The first module outlines the
 7
     antiharassment policy, which goes over
 8
 9
     discrimination, harassment, the different types
10
     of harassment there is, and ways of reporting
11
     that harassment.
12
                There's an addition -- could be some
13
     additional training.
                           If it's State required,
14
     then Allied Universal would also conduct that
15
     training.
16
                For example, in Illinois, it is
17
     mandatory to provide annual training on, you
18
     know, harassment or discrimination, but it is
19
     sometimes state specific.
20
                And then aside from that initial
          Ο.
21
     training on the module, is there any other
22
     training that Allied requires of security
23
     professionals throughout their tenure with
24
     Allied?
25
          Α.
                      There's continuous training.
                Yes.
```

| 1 | It depends on how long they've been with the | |
|----|---|--|
| 2 | organization, but there is continuous training. | |
| 3 | We do have something that's called | |
| 4 | core training, that they have to complete as | |
| 5 | mandatory training, all paid. There's several | |
| 6 | levels of the training. It depends on their | |
| 7 | specific role. | |
| 8 | So for example, for security | |
| 9 | professionals, there's guidelines of what | |
| 10 | training they are mandatory to complete. | |
| 11 | There's also voluntary training | |
| 12 | available for all of our security professionals | |
| 13 | through an online platform. | |
| 14 | There's also site-specific | |
| 15 | client-requested training that security | |
| 16 | professionals go through. | |
| 17 | So it's continuous throughout their | |
| 18 | employment. | |
| 19 | Q. And excuse me. | |
| 20 | I probably asked the question | |
| 21 | incorrectly. | |
| 22 | But specific to training on | |
| 23 | discrimination and retaliation, aside from the | |
| 24 | new the new employee orientation module, are | |
| 25 | employees required to take additional training | |

on discrimination and retaliation? 1 2 Yes, if it's State mandated. Α. 3 Okay. So, for example, in Texas are Q. 4 they required to? 5 Α. The State does not require it in Texas. 6 7 Q. Okay. And so if so, Twana Ahmed who was working at Allied, he would have completed 8 9 the module that you referred to when he was 10 initially hired? 11 That is correct. Α. 12 Okay. And so would there be Ο. 13 evidence of that completion in the test that 14 was taken somewhere? 15 Α. So there is -- so there's a 16 compliance code that is entered into the 17 compliance tracker in their employee file, that 18 outlines that new employee orientation was 19 completed, and that means that it was 20 successfully completed because there is a final 21 exam at the end. 22 If an employee or new hire at new 23 employer orientation does not pass that exam, 24 we do not move forward with employment for 25 them. So in Mr. Ahmed's situation, he would

```
have completed it and must have passed the exam
 1
 2
     if we moved forward with his employment.
 3
          Q.
                Okay.
                       Excuse me.
                You have -- so the module -- how
 4
 5
     long is the module that's for
     antidiscrimination and antiretaliation laws?
 6
 7
          Α.
                They are self-paced. The time to
     complete all three modules are back to back to
 8
 9
     one another with questions in between, but it's
10
     a three-hour course to complete all three
11
     modules.
12
                Again, it is self-paced, so it would
13
     be up to the candidate for how long it took
14
     them to complete any specific module.
15
          Ο.
                Okay. Thank you.
16
                And so when supervisors are
17
     initially hired or promoted, do supervisors
18
     have any different training on discrimination
19
     or harassment or retaliation at Allied?
                Supervisors will receive the same
20
          Α.
21
     training as the security professional on those
22
     particular matters.
23
                Okay. And what about managers?
          0.
24
          Α.
                Managers do receive -- if, for
25
     example, if it's a new manager going and
```

| 1 | bringing from an external candidate coming |
|----|---|
| 2 | into the organization or if it's a promotion, |
| 3 | they are required to complete a new employee |
| 4 | orientation for administrative employees which |
| 5 | is differs from the security professional |
| 6 | and supervisor modules. It's a little more |
| 7 | extensive. |
| 8 | Q. The specific part on discrimination |
| 9 | and retaliation and harassment is more |
| 10 | extensive? |
| 11 | A. The training is more extensive. Our |
| 12 | policies and training in regards to harassment, |
| 13 | retaliation are the same across the board. |
| 14 | Q. I see. Can you give me an example |
| 15 | of how the training is more extensive? |
| 16 | A. Well, they have more requirements as |
| 17 | far as, you know, investigating reports, making |
| 18 | sure that reports are submitted in a timely |
| 19 | fashion. |
| 20 | So for example, security |
| 21 | professional they are told, you know, "You are |
| 22 | you have to report, you know, these type of |
| 23 | incidents." |
| 24 | From a manager perspective, as soon |
| 25 | as they become aware of such incidents, they |
| | |

```
should be conducting investigations.
 1
                                            They
 2
     should be reporting it.
 3
                So their training is to -- how to
     properly react to a situation as soon as they
 4
 5
     become aware of any type of discrimination,
     harassment, retaliation occurring as opposed to
 6
 7
     an SP reporting it out.
                I see. Okay. And is that also just
 8
          0.
 9
     given to them when they're initially promoted
10
     or hired, and then that's it if it's not
11
     required by the State?
12
                That is correct.
          Α.
13
                Okay. Would there be written
          Q.
14
     materials that explain the training that
15
     managers must follow when they're investigating
16
     reports?
17
          Α.
                Yes.
                      It is outlined in the
     administrative handbook.
18
19
                As far as you know, has the
     administrative handbook been produced in this
20
21
     case?
22
          Α.
                I'm not -- I'm not sure.
23
          Ο.
                Okay. Is the administrative
24
     handbook something that -- you might have said
25
     this.
```

```
Is the administrative handbook
 1
 2
     something that only the managers must follow or
 3
     do supervisors also need to follow the
 4
     administrative handbook?
 5
                Supervisors and security
     professionals follow the security professional
 6
     handbook.
                Any managers and administrative
 7
     roles and above follow the admin handbook.
 8
 9
                Okay.
                       Thank you.
          Ο.
10
                Patrick Freeney, what was his title
11
     at Allied in --
12
          Α.
                He was an operations manager.
13
                An operations manager. So he would
          Q.
14
     have been following the administrative
15
     handbook?
16
                That is correct.
          Α.
17
                Okay. And can you tell me when
          Q.
18
     Patrick Freeney was first hired?
19
                I believe it was January of 2021,
          Α.
20
     from the best of my recollection.
21
                Okay. So he was hired in directly
          Q.
22
     as a manager?
23
                I do believe so, yes.
          Α.
24
                Okay. And I'm sorry. You said
          Ο.
25
     January of 2021?
```

| 1 | A. Correct. |
|----|--|
| 2 | Q. Okay. And what level of education |
| 3 | or experience did he have? |
| 4 | A. I do not recall. |
| 5 | Q. Do you know what level of experience |
| 6 | he had? |
| 7 | A. From my recollection, he would have |
| 8 | had previous leadership experience. I just |
| 9 | I just do not recall at this time. |
| 10 | Q. If you wanted to find out, how would |
| 11 | you do that? |
| 12 | A. We have a platform that we're able |
| 13 | to look at his employment application, r sum |
| 14 | submitted, and anything he would disclose |
| 15 | during his onboarding process. |
| 16 | So I would be able to verify, had |
| 17 | I I'm able to view that information. |
| 18 | Q. Okay. During the course of his |
| 19 | employment, was Patrick Freeney the subject of |
| 20 | any investigation at Allied? |
| 21 | A. Yes, he was. |
| 22 | Q. Was it just one investigation? |
| 23 | A. Yes, it was. I'm sorry. There was |
| 24 | two incidents. I apologize. |
| 25 | Q. Okay. What was the first incident? |

| 1 | A. We received a concern regarding | |
|----|---|--|
| 2 | him it was an anonymous complaint submitted | |
| 3 | through or our NAVEX hotline regarding him | |
| 4 | potentially requiring his supervisors to | |
| 5 | complete schedules on his behalf. | |
| 6 | Q. Was that against Allied's policy? | |
| 7 | A. It is not. | |
| 8 | Q. Okay. And what was the outcome of | |
| 9 | that investigation? | |
| 10 | A. It was not substantiated. | |
| 11 | Q. Who conducted that investigation? | |
| 12 | A. I do not recall. | |
| 13 | Q. When did that investigation take | |
| 14 | place? | |
| 15 | A. I want to say somewhere mid-2022. | |
| 16 | Q. And then what were the circumstances | |
| 17 | surrounding the second incident? | |
| 18 | A. The second complaint that we | |
| 19 | received through our employee hotline was | |
| 20 | submitted by the plaintiff. | |
| 21 | Q. And what was the outcome of that | |
| 22 | investigation? | |
| 23 | A. So it was a twofold piece. So | |
| 24 | the the allegations regarding Patrick | |
| 25 | Freeney making inappropriate comments was | |
| | | |

| 1 | unsubstantiated. | | |
|----|---|--|--|
| 2 | The allegations in regard to | | |
| 3 | requesting the plaintiff to shave his beard | | |
| 4 | were unsubstantiated. | | |
| 5 | We reviewed the termination, because | | |
| 6 | that was included also in the complaint, and we | | |
| 7 | reviewed that the termination was justified. | | |
| 8 | Q. Is you said there was a twofold | | |
| 9 | piece. Was that the first part, or is there | | |
| 10 | or were you explaining both parts? | | |
| 11 | A. Both parts. So the first part would | | |
| 12 | be that there was comment that there was | | |
| 13 | allegations that Patrick Freeney was making | | |
| 14 | inappropriate comments to the plaintiff. And | | |
| 15 | the second piece that it was a wrongful | | |
| 16 | termination. | | |
| 17 | Q. And Patrick Freeney no longer works | | |
| 18 | for Allied; correct? | | |
| 19 | A. That's correct. | | |
| 20 | Q. When was his last day? | | |
| 21 | A. It was on or about June 2022. | | |
| 22 | Q. And what why did he leave? | | |
| 23 | A. He resigned for personal reasons. | | |
| 24 | Q. Do you know where he's working now? | | |
| 25 | A. I do not. | | |

| 1 | Q. Was Patrick Freeney disciplined in | | | |
|----|---|--|--|--|
| 2 | any way during his time at Allied? | | | |
| 3 | A. He was not. | | | |
| 4 | Q. Okay. Do you agree that | | | |
| 5 | discrimination in the workplace is a | | | |
| 6 | foreseeable danger to employees? | | | |
| 7 | A. Yes, it is. It could be, yes. | | | |
| 8 | Q. Okay. Why is that? | | | |
| 9 | A. Well, it depends. If an | | | |
| 10 | organization becomes aware of such instance and | | | |
| 11 | doesn't act on it, it could escalate between | | | |
| 12 | the individuals involved. So it could pose a | | | |
| 13 | danger if the company doesn't become involved | | | |
| 14 | in the matter. | | | |
| 15 | Q. In developing Allied's policies and | | | |
| 16 | procedures applicable to preventing | | | |
| 17 | discrimination and retaliation in the | | | |
| 18 | workplace, did Allied consider any statistics | | | |
| 19 | related to, say, the percentage of employees | | | |
| 20 | that experience discrimination? | | | |
| 21 | A. I do not know. | | | |
| 22 | Q. In your experience as an HR | | | |
| 23 | professional, have you encountered any studies | | | |
| 24 | showing percentages of employees that report | | | |
| 25 | having experienced discrimination? | | | |
| | | | | |

```
1
          Α.
                I do not.
 2
                      ATTORNEY SHINE:
                                      Objection to
 3
     outside the scope, Amanda.
 4
     BY ATTORNEY HERNANDEZ:
 5
                In your education and training and
     experience, are you aware that oftentimes
 6
 7
     employees that experience discrimination often
     do not report it out of fear of retaliation?
 8
 9
                      ATTORNEY SHINE:
                                       Again,
10
     objection.
                 Outside the scope.
11
     BY ATTORNEY HERNANDEZ:
12
          Ο.
                You can still answer.
13
                      ATTORNEY SHINE: To the extent
14
     she has any knowledge, she can answer.
15
                      THE WITNESS: And I'm sorry.
16
     Can you rephrase the question?
17
     BY ATTORNEY HERNANDEZ:
18
                Sure. At -- you are an HR
19
     professional; correct?
20
          Α.
                That is correct.
21
          0.
                Okay. How long have you been
2.2
     working in HR?
23
                A little over 10 years.
          Α.
24
                And so in your experience as an HR
          0.
25
     professional, are you aware that oftentimes
```

| 1 | employees that experience discrimination will | | |
|----|--|--|--|
| 2 | not report it out of fear of retaliation? | | |
| 3 | ATTORNEY SHINE: My objection | | |
| 4 | stands. | | |
| 5 | THE WITNESS: Yes. | | |
| 6 | ATTORNEY SHINE: But she may | | |
| 7 | answer. | | |
| 8 | THE WITNESS: Yes. | | |
| 9 | BY ATTORNEY HERNANDEZ: | | |
| 10 | Q. Okay. Have you in your studies, | | |
| 11 | have you seen a report noted by the EEOC that | | |
| 12 | roughly 75 percent of employees that have | | |
| 13 | reported workplace conduct have experienced | | |
| 14 | retaliation? | | |
| 15 | ATTORNEY SHINE: Objection. | | |
| 16 | Outside the scope. | | |
| 17 | To the extent she has any personal | | |
| 18 | knowledge, she may answer. However, this is | | |
| 19 | not the appropriate question for a 30(b)(6) | | |
| 20 | witness. | | |
| 21 | BY ATTORNEY HERNANDEZ: | | |
| 22 | Q. You may answer. | | |
| 23 | A. I do not. | | |
| 24 | Q. How does Allied ensure the | | |
| 25 | discrimination and harassment is not occurring | | |
| | | | |

| 1 | in its workplace if employees do not self | | | |
|----|---|--|--|--|
| 2 | report? | | | |
| 3 | A. Well, we do provide all of our | | | |
| 4 | employees guidelines in the employee handbook | | | |
| 5 | on how to report any type of discrimination | | | |
| 6 | that they may be discrimination, harassment, | | | |
| 7 | retaliation that they become aware of. | | | |
| 8 | They are able to report these | | | |
| 9 | matters anonymously through our hotline which | | | |
| 10 | is available to them 24/7. | | | |
| 11 | Also, during our trainings and new | | | |
| 12 | employee orientation, we also outline the | | | |
| 13 | individuals that observe somebody being | | | |
| 14 | discriminated against, harassed, retaliated | | | |
| 15 | against for them to also speak up and report | | | |
| 16 | those matters to us. | | | |
| 17 | Q. Okay. So if an employee is fearful | | | |
| 18 | of retaliation and does not self-report, does | | | |
| 19 | Allied do anything to ensure that | | | |
| 20 | discrimination is not happening? | | | |
| 21 | For example, does it monitor the | | | |
| 22 | workplace in any way? | | | |
| 23 | A. Well, in our industry, it's a little | | | |
| 24 | more difficult to do that because we are | | | |
| 25 | contract security. So we provide security | | | |
| | | | | |

| 1 | services through multiple clients throughout, | | | | |
|----|---|--|--|--|--|
| 2 | you know, throughout cities, throughout the | | | | |
| 3 | country, and it's very site-specific. | | | | |
| 4 | So we're not in one environment | | | | |
| 5 | together where we're able to do that. It's all | | | | |
| 6 | very spread out. | | | | |
| 7 | Q. Okay. So just so I have a clear | | | | |
| 8 | answer, does Allied monitor the workplace to | | | | |
| 9 | ensure that discrimination is not happening? | | | | |
| 10 | A. I would say, yes, we do monitor. We | | | | |
| 11 | ensure that our managers are, you know, well | | | | |
| 12 | trained to observe these matters, but again, | | | | |
| 13 | depending on the location, some some sites | | | | |
| 14 | have just one security professional by | | | | |
| 15 | themselves in a guard shack, for example. | | | | |
| 16 | Right. So it would be difficult for us to be | | | | |
| 17 | able to monitor in a situation like that. | | | | |
| 18 | In a larger location, yes, it would | | | | |
| 19 | probably be much easier for a manager to be | | | | |
| 20 | able to monitor that. | | | | |
| 21 | Q. Is anyone monitoring the managers to | | | | |
| 22 | ensure that they are not engaging in | | | | |
| 23 | discriminatory or retaliatory behavior? | | | | |
| 24 | A. I would say that yes. I mean, we | | | | |
| 25 | you know, there's definitely meetings occurring | | | | |

```
with managers, conversations regarding what's
 1
 2
     happening on-site with leadership, so you know,
 3
     they're actively involved.
                It would be difficult to determine
 4
 5
     whether a manager is, you know, conducting
 6
     themselves in a, you know, unprofessional
 7
     manner when reacting with their security
     professionals unless we're, you know,
 8
 9
     monitoring the site 24/7.
10
                So it would be difficult to fully
11
     monitor a site, but yes, I would say that we do
12
     our best to do so.
13
                And so how is that done?
          Q.
14
                Well, they are -- for example, like,
          Α.
15
     in account meetings would have to meet with
     their direct report; go over what's happening
16
17
     at the site; discuss what's happening with
18
     security professionals, interaction with
19
               Are we doing a good job?
20
     conversations are constantly occurring.
21
                So it would be up to a leader to
22
     determine if there's something that is raising
23
     a red flag with them to further look into it.
24
                But there are constant meetings
25
     occurring with all of our staff --
```

administrative staff. 1 2 Ο. I'm sorry. So that sounded like a 3 manager checking in with its security 4 professionals, but I believe you said that 5 Allied monitors its managers to ensure that they are not engaging in discrimination. 6 How -- how does Allied monitor its 7 8 managers to ensure that they are not engaging 9 in discrimination? 10 Well, we're just hosting meetings. 11 I mean, it would be very difficult for us to 12 determine whether a manager is behaving in a 13 discriminatory manner unless they fully display 14 that to us. If there was a meeting held or a 15 16 site visit where a manager fully displayed that 17 they were discriminating against an employee, 18 making an inappropriate comment, it would be 19 addressed immediately. 20 Otherwise, if there's no signs that 21 a manager is, you know, being -- discriminating 22 against people or having -- or making 23 inappropriate comments that are not made to us 24 or being reported to us, it'd be difficult for 25 us to determine whether a manager is practicing

```
1
     that without, you know, any reporting of it or
 2
     visible acts of it.
 3
                Okay. So aside from, like, meetings
 4
     that the manager would have with their
 5
     superiors, there's no other way that Allied can
 6
     monitor the managers; true?
 7
          Α.
                That's correct.
 8
                       Do you agree that
          0.
                Okav.
 9
     discrimination in the workplace is preventable?
10
                I -- I mean, that's a difficult
          Α.
11
                But, I mean, as much as we would
     question.
12
     like for it to be prevented, no, I don't think
13
     it's 100 percent preventable because we can't
14
     control individuals.
                Okay. Why not?
15
          0.
16
                Well, you know, we can give all the
          Α.
17
     tools for a manager or individuals to be
18
     successful and know, you know, the policies,
19
     procedures, laws against preventing these type
20
     of discriminatory acts, but as far as an
21
     individual, what they -- when they do that,
22
     it's hard for the organization to be able to
23
     prevent that because we can't control an
2.4
     individual's acts.
25
                What we can do, from a company
```

```
1
     standpoint to control that, is to provide them
 2
     the training and guidance, policies and
 3
     procedures to follow as much as possible to --
 4
     in order to prevent that from occurring.
 5
                Okay.
                      Do you agree -- similar
                Do you agree that retaliation for
 6
     question.
     reporting discrimination in the workplace is
 7
     preventable?
 8
 9
                Well, again, it's providing them the
          Α.
10
     guidance, policies, and procedures to be aware
11
     of what retaliation is to avoid it at all
12
     costs.
13
                Okay. When Patrick was first hired,
          Q.
14
     was he immediately Twana Ahmed's manager?
15
          Α.
                I do not know.
16
                Okay. How -- do you know how many
          Ο.
     subordinates he had at the time?
17
18
                Patrick?
          Α.
19
                Yes.
          Ο.
20
          Α.
                He had three.
21
                Patrick Freeney?
          Q.
22
          Α.
                Sorry. Patrick Freeney, he had
23
     four.
            I apologize.
                           Four.
24
          Q.
                And who were those subordinates?
25
                It was Patrick Parham, Mauricio
          Α.
```

```
1
     Zepeda, Alexander Bergeron, and Nathan
 2
     Hernandez.
                 I want to say it was a Nathan for
 3
            I just might be recalling the last name
 4
     incorrectly.
 5
                Were -- so you listed four people.
     Were those four subordinates considered
 6
 7
     supervisors of the security professionals?
                They are field supervisors that,
 8
          Α.
 9
     yes, they -- in the hierarchy, it would be
10
     Patrick, the field supervisors, and then all
11
     security professionals below them.
12
                So is Patrick also -- so were the
          Ο.
13
     security professionals also Patrick Freeney's
14
     subordinates?
                      They were considered under
15
          Α.
                Yes.
16
     him. Yes.
17
                And who is Patrick Freeney's
          Q.
18
     immediate supervisor?
19
                It was Felicia Solis-Ramirez.
          Α.
                And what is Felicia's title?
20
          0.
21
          Α.
                Branch manager.
22
                When was Felicia hired by Allied?
          0.
23
                From my understanding, January 2018.
          Α.
24
                What's her level of education?
          Ο.
                I do not recall. She had 10 years
25
          Α.
```

1 of leadership experience prior to her hiring. 2 0. And 10 years of management 3 experience doing what? 4 Α. In the management roles. 5 0. Do you know where? I do not recall. 6 Α. Did she have a security professional 7 Q. background? 8 9 I do not recall. Α. 10 Was Felicia always the branch 0. 11 manager from 2018 until the time she left? 12 That is correct. Α. 13 Would Felicia have been required to 0. 14 follow the administrative handbook? 15 Α. Yes. 16 Would Felicia have been required to Ο. 17 do any additional training on discrimination, 18 retaliation, or harassment while at Allied? 19 She would have completed training on Α. 20 those topics. 21 Aside from the initial onboarding 0. 2.2 training, would she have been required to 23 complete training -- like, yearly training or 24 more frequent training? 25 Α. I do not know.

| 1 | Q. Was she based in Texas? | | |
|----|---|--|--|
| 2 | A. Yes, she was. | | |
| 3 | Q. And so if Texas didn't require it, | | |
| 4 | would she have been required to undergo | | |
| 5 | additional training on discrimination, | | |
| 6 | harassment, or retaliation? | | |
| 7 | A. I do not know. | | |
| 8 | Q. And if she had completed that | | |
| 9 | training, would Allied have a record of it? | | |
| 10 | A. Yes, we would. | | |
| 11 | Q. And when was Felicia's last day of | | |
| 12 | work with Allied? | | |
| 13 | A. I believe gosh. I believe | | |
| 14 | potentially May 2024. | | |
| 15 | Q. And what were the circumstances of | | |
| 16 | her departure? | | |
| 17 | A. She resigned. | | |
| 18 | Q. Did she resign in lieu of | | |
| 19 | termination? | | |
| 20 | A. I do not believe so, no. | | |
| 21 | Q. Do you know why she resigned? | | |
| 22 | A. I do not. | | |
| 23 | Q. Do you know where she is working | | |
| 24 | now? | | |
| 25 | A. I do not. | | |
| | | | |

```
Did Patrick Freeney resign in lieu
 1
          0.
 2
     of termination?
 3
                I do not know, but I don't believe
          Α.
 4
     so.
 5
          Ο.
                Is there somebody that would know?
                       Most definitely there would
 6
          Α.
                Yeah.
 7
     be somebody from the Texas group that would
     definitely know that.
 8
 9
                Who would know?
10
                We -- we could request that
          Α.
11
     information to be provided. There would be
12
     record of it. The Texas branch leadership
13
     would know that information.
14
                And who is considered Texas branch
15
     leadership?
16
                At this time, I believe Bill Keene.
17
     No.
          Sorry. He's -- I don't think he's no
18
     longer with the company.
19
                Well, our HR manager would
20
     definitely be able to look that information up,
21
     which is Katherine Alyea. Alyea.
22
          0.
                Okay. So Katherine -- I'm sorry.
23
     How do you pronounce her last name?
                 "Alyea," I believe.
24
          Α.
25
                Katherine Alyea is the HR manager
          Q.
```

| 1 | for Texas? | |
|----|---|-------------------------------------|
| 2 | А. | For the Houston branch. |
| 3 | Q. | Okay. And you mentioned Bill Keene. |
| 4 | You said h | e no longer works with Allied? |
| 5 | А. | Yes. At the time, he would have |
| 6 | been Felicia's direct report, but he's no | |
| 7 | longer with Allied. | |
| 8 | Q. | What was his title? |
| 9 | Α. | He was regional vice president. |
| 10 | Q. | When did he leave? |
| 11 | А. | I do not know. |
| 12 | Q. | Do you know why he left? |
| 13 | А. | I do not. |
| 14 | Q. | You said Bill Keene would have been |
| 15 | Felicia's direct supervisor, I believe? | |
| 16 | А. | At the time, yes. |
| 17 | Q. | At the time. Did she have any other |
| 18 | supervisor | s? |
| 19 | Α. | No. Not in the hierarchy, no. |
| 20 | Q. | And in the hierarchy, who was |
| 21 | Felicia Pa | trick Freeney's only direct |
| 22 | supervisor | ? |
| 23 | Α. | Yes. |
| 24 | Q. | Is there anyone else that Patrick |
| 25 | Freeney wo | uld have reported to? |

| 1 | A. No. She would be his direct | | | |
|----|---|--|--|--|
| 2 | supervisor. | | | |
| 3 | Q. Okay. Could you briefly tell me | | | |
| 4 | what Patrick Freeney's general duties were as | | | |
| 5 | account manager? | | | |
| 6 | ATTORNEY SHINE: I'm just | | | |
| 7 | objecting to misstating the testimony. | | | |
| 8 | ATTORNEY HERNANDEZ: I'm | | | |
| 9 | sorry. | | | |
| 10 | BY ATTORNEY HERNANDEZ: | | | |
| 11 | Q. What was his title? What was | | | |
| 12 | Patrick Freeney's title? | | | |
| 13 | A. Operations manager. | | | |
| 14 | Q. Thank you. Can you let me know | | | |
| 15 | can you explain what his general duties were as | | | |
| 16 | operations manager? | | | |
| 17 | A. The general duties of an operations | | | |
| 18 | manager, it's scheduling, doing call-offs, | | | |
| 19 | filling the schedules, dealing with day-to-day | | | |
| 20 | concerns from employees, maintaining | | | |
| 21 | compliance, ensuring training is occurring. | | | |
| 22 | There are several criterias that | | | |
| 23 | managers must meet. A standard for example, | | | |
| 24 | advanced scheduling, ensuring payroll is | | | |
| 25 | adequately submitted. They're responsible for | | | |

| 1 | payroll records. They're responsible for |
|----|---|
| 2 | managing that employees are calling in, calling |
| 3 | out. Responsible for ensuring that employees |
| 4 | are following company guidelines as far as |
| 5 | utilizing our technology while they're on post. |
| 6 | And interacting with clients and the |
| 7 | general public to make sure that our security |
| 8 | professionals are meeting company standards and |
| 9 | client requirements. |
| 10 | Q. Was Patrick Freeney considered the |
| 11 | Elite account manager? |
| 12 | A. He I don't I wouldn't say that |
| 13 | he was the Elite account manager. He oversaw |
| 14 | the AGB account, and the Elite program was |
| 15 | embedded into that account. |
| 16 | Q. And did he oversee that for all of |
| 17 | Houston? |
| 18 | A. I do not know. |
| 19 | Q. Okay. Do you know how many security |
| 20 | professionals he managed? |
| 21 | A. I do not know. |
| 22 | Q. Did Pat did Patrick have |
| 23 | authority to hire new members to his team? |
| 24 | A. Yes, he did. |
| 25 | Q. Did he have authority to discipline |
| | 1 |

| 1 | members of his team? |
|----|--|
| 2 | A. Yes, he did. |
| 3 | Q. Did he have authority to approve |
| 4 | whether members of the team worked overtime? |
| 5 | A. Yes, he did. |
| 6 | Q. And I think you said this already, |
| 7 | but he had authority to set employee schedules |
| 8 | or alter employee schedules? |
| 9 | A. Yes. |
| 10 | Q. And did he have authority to fire |
| 11 | members of his team? |
| 12 | A. Yes. |
| 13 | Q. It was Patrick Freeney that |
| 14 | recommended Twana Ahmed be fired from Allied; |
| 15 | true? |
| 16 | A. Yes. |
| 17 | Q. What is your title with Allied? |
| 18 | A. Human resources director, regional |
| 19 | for the Midwest. |
| 20 | Q. And how long have you worked with |
| 21 | Allied? |
| 22 | A. Eight years. |
| 23 | Q. Have you always been the human |
| 24 | resources director? |
| 25 | A. No. |

```
1
     30(b)(6) witness.
 2
                To the extent you have personal
 3
     knowledge and would like to testify to that,
 4
     you may answer.
 5
                      THE WITNESS:
                                    Yes, I do.
                                                 I do
 6
     believe that it is important.
 7
     BY ATTORNEY HERNANDEZ:
                Does Allied require that
 8
          Ο.
 9
     investigations be conducted immediately when an
10
     employee reports discrimination or harassment?
11
          Α.
                Yes.
12
          0.
                Okay. Do you agree that it would be
13
     wrong to ignore reports of discrimination or
14
     harassment?
15
          Α.
                Yes.
16
                     ATTORNEY SHINE: Objection.
17
     Outside the scope.
18
                To the extent she has personal
19
     knowledge, she may answer.
20
                      THE WITNESS:
                                    Yes.
21
     BY ATTORNEY HERNANDEZ:
2.2
                Okay. Would it be against Allied's
23
     policies to ignore reports of discrimination or
24
     harassment?
25
          Α.
                Yes.
```

Do you agree that it would be -- do 1 2 you agree that it would be reckless to ignore 3 reports of discrimination or harassment? 4 ATTORNEY SHINE: Objection. 5 Outside the scope. To the extent she has personal 6 7 knowledge, she can answer. THE WITNESS: 8 Yes. BY ATTORNEY HERNANDEZ: 9 10 I cannot remember if you already 11 answered this, but does Allied have or use any 12 manuals on how to conduct investigations into 13 reports of discrimination? 14 There are quidelines provided Α. Yes. 15 on how to conduct an investigation. Is that, like -- where is 16 Ο. Okav. 17 that housed? Is it housed in an actual manual 18 like a physical book, or is it something 19 online? 20 We are predominantly digital, so it Α. 21 is housed on a company platform under human 22 resources categories, and it outlines and it 23 has -- there's a file that contains all that 24 information. 25 And so is there -- so is there -- is Ο.

| 1 | there an actual manual on how to conduct |
|----|---|
| | |
| 2 | investigations into reports of discrimination? |
| 3 | A. It's not a manual. There's |
| 4 | guidelines provided. |
| 5 | Q. Okay. And these guidelines that are |
| 6 | provided, are they provided to all the HR |
| 7 | professionals tasked with conducting |
| 8 | investigations? |
| 9 | A. Yes. |
| 10 | Q. Are they expected to follow the |
| 11 | guidelines? |
| 12 | A. The guidelines are per provided |
| 13 | as a standard way of performing an |
| 14 | investigation. More newer HR professionals |
| 15 | would use those guidelines, and all the |
| 16 | documentation attached to them more senior, and |
| 17 | depending on the region and the HR director at |
| 18 | their discretion how an investigation is to be |
| 19 | completed, but those guidelines do provide |
| 20 | exactly what the company expectation is is |
| 21 | following to properly and thoroughly conduct an |
| 22 | investigation. |
| 23 | Q. Okay. What do those guidelines |
| 24 | recommend happen to conduct a thorough and fair |
| 25 | investigation? What are the steps? |

Well, there are several steps. 1 The 2 first one is to, you know, evaluate the 3 situation to determine the next steps, whether 4 or not somebody may have to be suspended, what 5 parties are involved, determining whether there's potential camera footage, determining 6 7 what witnesses are -- are available or were part of the -- the allegations. 8 9 Time recordkeeping, you know, any 10 records of when phone calls were made, interviews are conducted. What questions to 11 12 What information should we be seeking. ask. 13 Who should be involved. 14 And then, you know, the final evaluation of all the relevant evidence and 15 16 witness testimony is then further reviewed. 17 And we do have a disciplinary matrix that is then reviewed to determine the final 18 19 determination on what next steps we will take. 20 Ο. You mentioned what questions to ask. 21 Can you give me an example of what you mean by 22 that? 23 It would be standard questions Α. 24 because in all investigations, there's 25 different question for an investigation

1 depending on the allegation. 2 It would be standard questions to 3 ask as in, you know, how long the employee has 4 been with us. What is their title. You know, 5 have they been at that particular location for X amount of time depending on what level of 6 7 individual that we are interviewing. Asking what witnesses happened -- when did it happen. 8 9 Who may have been involved. How did it happen. 10 Do we have a reason why we believe it happened. 11 Standard questions. 12 And obviously, there's going to be 13 other questions that are more in depth into the 14 actual allegations, but the standard questions 15 are to kind of get an outline of what happened. 16 0. Okav. Whenever someone is tasked 17 with conducting an investigation, has Allied --18 Strike that question. sorry. 19 Does Allied provide training on how 20 to conduct investigations to all of the HR 21 professionals tasked with conducting 22 investigations? 23 There is training for that. Α. Yes. 24 That's correct. 25 Okay. Would anyone be conducting an Q.

investigation that has not been trained? 1 2 Α. No. 3 If an employee reports Q. 4 discrimination or harassment, what is one of 5 the first steps that the investigator should go about -- how should the investigator go about 6 7 investigating that report? In the event that we get such a 8 Α. 9 report, the first thing that investigators 10 should be doing is talking to the reporter, 11 gathering as much information from the 12 reporting party as far as who the allegation is 13 against, if there was any witnesses to the 14 allegation -- to the incident that occurred. 15 Asking history if there's -- if this is an 16 ongoing issue. If this was -- asking, if it 17 was previously reported, who it would have been 18 reported to. 19 Gathering that formal information at 20 first, and then based on what's collected, then 21 we determine what next steps we would take in 22 the investigation. 23 Okay. So if I understand correctly, 0. 24 they -- let's say they gathered the information 25 that the reporter provided, and they decide

```
1
     that they need to talk -- they need to
 2
     investigate further. What would be the next
 3
     step?
 4
                The next step would be determine
          Α.
 5
     whether -- what are we investigating.
                                            Right?
     So for example, if it's another security
 6
 7
     professional claiming that they're, for
     example, being bullied by another security
 8
 9
     professional, our next step would be -- one,
10
     we're always involving the security
11
     professional's direct supervisor unless they're
12
     somehow involved in the investigation.
                                              We are
13
     then questioning that individual based on
14
     information we have collected from the
15
     reporter. We also are requesting to review any
16
     potential camera footage if it's available.
17
                And we determine, depending on the
18
     allegation, whether or not suspension is
19
     warranted, but that depends on the type of
20
     allegation that is brought to our attention.
21
                And if -- so if you're investigating
          0.
22
     a manager and you determine -- if the manager
23
     is the subject of the investigation, then
24
     what's the next step?
25
          Α.
                If a manager is the subject of the
```

```
1
     investigation, then we involve their direct
 2
     supervisor. Okay.
                         They are not -- they -- we
 3
     treat them just like any other individual
     that's getting interviewed for a complaint,
 4
 5
     except the only difference is that we escalate
     it to one more level above them for their
 6
 7
     involvement.
                So when you -- when you say you
 8
          0.
 9
     escalate to one level above them, does that
10
     mean that you would be then interviewing the --
11
     the manager's supervisor?
12
          Α.
                     Not interviewing the manager's
13
     supervisor, but involving them in the
14
     investigation.
15
          0.
                Okay. How would they be involved?
16
          Α.
                They would be assisting in
17
     conducting the investigation. For example,
18
     sitting in the room as a witness or potentially
19
     seeking information, as well. Asking
20
     questions, as well. So we do partner with the
21
     -- with our direct supervisors.
22
                So there's a variety of reasons they
23
     might be involved, but primarily to help with
24
     the investigation, to gather information.
25
          Q.
                Okay. And so if the -- if the
```

manager's direct supervisor is not involved in 1 2 the questioning, is that a red flag that maybe 3 the investigation is not being conducted correctly? 4 5 Can you rephrase the question? don't understand. 6 7 Q. Sure. If the manager is the subject of the investigation and their direct 8 9 supervisor is not involved in the 10 investigation -- as you mentioned, it should be 11 part of the procedure -- is that a red flag 12 that the investigation is not being conducted 13 per Allied's procedures? 14 It depends on the situation. 15 So it depends on the level of the complaint --16 the severity of the complaint. 17 So in some instances, our supervisor 18 might be just providing a recommendation or a 19 secondary review. If it's a severe allegation, 20 you know, we definitely have the supervisors 21 being involved from -- so they can be a part of 22 the situation. 23 But it really a case by case 24 depending on what kind of allegation it is and 25 the level of allegation.

| 1 | Q. Can you give me an example of a |
|----|---|
| 2 | severe allegation? |
| 3 | A. Sexual harassment. |
| 4 | Q. Would using racial slurs be |
| 5 | considered a severe allegation? |
| 6 | A. Yes, it would. |
| 7 | Q. Would threatening physical harm on |
| 8 | the employee be considered a severe allegation? |
| 9 | A. Yes, it would. |
| 10 | Q. You mentioned training in the |
| 11 | investigation. In this training in how to |
| 12 | conduct investigations. |
| 13 | In this training, are the |
| 14 | investigators taught to look for signs of |
| 15 | discrimination or, like, red flags that |
| 16 | indicate that maybe this might be a sign of |
| 17 | discrimination or retaliation? |
| 18 | A. Yes. There they are trained to |
| 19 | look for patterns. So we look at previous |
| 20 | history. Has there been any previous reports |
| 21 | of any similar acts. Have we ourselves maybe |
| 22 | noticed any red flags of that nature. |
| 23 | So they are trained to really look |
| 24 | at the big scope of things, but yes, we do look |
| 25 | for patterns and any previous complaints filed |
| | |

```
against that individual.
 1
 2
          Ο.
                Do you have experience spotting red
 3
     flags of discrimination?
 4
                      ATTORNEY SHINE: Objection.
 5
     Outside the scope of the 30(b)(6) witness.
                To the extent she has personal
 6
 7
     knowledge, she may testify in an individual
     capacity.
 8
 9
                                    I mean, I would
                      THE WITNESS:
10
     say, yes, I would look for patterns, and I
11
     would look for if there's anything that sticks
12
     out, that needs to be further looked at. Yeah.
13
     BY ATTORNEY HERNANDEZ:
14
                Do any come to mind to you right
          Ο.
15
     now?
16
          Α.
                No.
17
                Okay. Could it be a red flag of
          Q.
18
     discrimination if, say, an employee's accent
19
     was mocked?
20
                Yes, that could be.
          Α.
21
                Could it be a red flag of
          0.
22
     discrimination if an employee was pressured to
23
     shave his beard after indicating a religious
24
     need to keep the beard?
25
          Α.
                Yes.
```

| 1 | Q. Could it be a red flag of |
|----|---|
| 2 | discrimination if an employee was pressured to |
| 3 | shave his beard, but other employees were not |
| 4 | pressured to shave their beard? |
| 5 | A. Yes. |
| 6 | Q. Could it be a red flag of |
| 7 | discrimination if an employee was issued a |
| 8 | faulty weapon if others were issued working |
| 9 | weapons? |
| 10 | A. I wouldn't say that was necessarily |
| 11 | discrimination. |
| 12 | Q. Okay. Could it be a red flag of |
| 13 | potential discrimination if an employee was not |
| 14 | issued equipment that other employees in the |
| 15 | same position were issued? |
| 16 | A. Yes. |
| 17 | Q. Could it be a red flag of |
| 18 | discrimination if an employee of a different |
| 19 | national origin was told to go back to his |
| 20 | country? |
| 21 | A. Yes. |
| 22 | Q. Could cussing at an employee be a |
| 23 | red flag of potential discrimination? |
| 24 | A. Yes. |
| 25 | Q. Could physical threats toward an |
| | |

```
employee be a red flag of potential
 1
 2
     discrimination?
 3
          Α.
                Yes.
 4
                Could racial slurs toward an
          0.
 5
     employee be a red flag of discrimination?
          Α.
                Yes.
 6
                Could a failure to follow policies
 7
          0.
     be a red flag of discrimination?
 8
 9
                I guess I would -- I think it would
          Α.
10
     need to be a little more specific as to what
11
     policies they were failing to follow to see if
12
     it's related to discrimination because there
13
     are several policies that could not be
14
     followed.
15
                So I guess it would depend on what
16
     policy is not being followed.
                        In your understanding of
17
          Q.
                Okay.
18
     employment retaliation, can disciplinary
19
     decisions ever be applied in a way that's
20
     retaliatory?
21
                                       Objection.
                      ATTORNEY SHINE:
2.2
     Outside the scope of a 30(b)(6) witness.
23
                She may answer in an individual
24
     capacity to the extent she has knowledge.
25
                                    Can you ask the
                      THE WITNESS:
```

```
question again?
 1
 2
     BY ATTORNEY HERNANDEZ:
 3
          Q.
                Sure. In your understanding of
 4
     employment retaliation, can disciplinary
 5
     decisions ever be applied in a way that's
 6
     retaliatory?
 7
          Α.
                Yes.
                And so under Allied's policies and
 8
          0.
 9
     procedures and training in looking for signs of
10
     retaliation, under their procedures, is it --
11
     is something to look for close timing between a
12
     protected activity and the disciplinary action?
13
                      ATTORNEY SHINE:
                                       Objection.
14
     Calls for a legal conclusion.
15
                To the extent she has personal
16
     knowledge, she can answer.
17
                      THE WITNESS: Yeah. I do not
18
     know.
19
     BY ATTORNEY HERNANDEZ:
20
                Okay. Do you know what "protected
          Ο.
21
     activity" means?
2.2
          Α.
                Yes.
23
                Is that defined in Allied's
          Ο.
24
     policies?
25
          Α.
                Yes, it is. It's also included in
```

the new employee orientation training. 1 2 Ο. Okav. And how -- so what is protected activity? What's the definition of 3 4 that protected activity? 5 ATTORNEY SHINE: Objection. 6 Outside the scope. Calls for a legal 7 conclusion. To the extent she has personal 8 9 knowledge or if you would like to rephrase with 10 respect to Allied's definition of protected 11 activity, she may answer. 12 BY ATTORNEY HERNANDEZ: 13 What is Allied's definition of 14 protected activity provided in the training? 15 Α. Well, Allied -- Allied's definition 16 of it would be -- any protected activity would be any individual that, you know, brings to our 17 18 attention any religious -- for example, 19 religious accommodation requests. Anything in 20 regards to their sexual orientation, national 21 origin, any protected classes. 2.2 And it would be our, you know, 23 responsibility to ensure that we are protecting 24 those individuals and those classes when they 25 bring any matters to our attention of any type

```
1
     of, you know, activity that is outside the
 2
     policy.
 3
                And under those policies, would
          Q.
 4
     reporting discrimination be a protected
 5
     activity?
 6
          Α.
                Yes.
 7
          Q.
                Under Allied's policies, would
 8
     opposing discrimination be a protected
 9
     activity?
10
                      THE REPORTER:
                                      I'm sorry.
11
     Ma'am --
12
                      ATTORNEY HERNANDEZ:
13
     sorry. Did you answer?
14
                      THE WITNESS:
                                                I
                                    Yes, yes.
15
     apologize if you guys couldn't hear me.
16
     BY ATTORNEY HERNANDEZ:
17
          Q.
                Excuse me.
18
                 In the training that's you've
19
     received or provided, are you taught to look
20
     for signs of potential retaliation?
21
                      ATTORNEY SHINE:
                                        Objection.
2.2
     Outside the scope of a 30(b)(6) notice.
23
                 If it's directed to her personally
24
     or as a company.
25
                      ATTORNEY HERNANDEZ:
                                            Let me
```

I thought I mentioned Allied. 1 rephrase. 2 BY ATTORNEY HERNANDEZ: 3 In the training that Allied has Q. provided or provides its investigators, are 4 5 they taught to look for signs of potential retaliation? 6 7 Α. Yes. Do any -- any come to mind right 8 Ο. 9 now? 10 Retaliation, in certain Α. 11 circumstances where maybe an individual filed a 12 complaint of harassment, for example, against 13 their supervisor, and as a result of that 14 investigation, that individual may have 15 potentially been demoted, or their rate of pay 16 was affected following a complaint that was 17 potentially substantiated, and then, you know, 18 there was repercussions against the reporter. 19 Anything else? Ο. 20 Α. I mean, there's several situations 21 where we could review what -- cases of 22 retaliation. 23 You know, if a reporter brings to 24 our attention a case that maybe it was the 25 circumstances of "He said. She said," or "He

```
1
            He said", "she said. She said," where
     said.
 2
     we weren't able to fully substantiate the
 3
     allegations due to a lack of evidence, and then
 4
     subsequently, maybe the reporter then gets
 5
     removed from a role that affects their pay or
     their schedule. That would be another example.
 6
 7
          Q.
                Okay.
                       Would close timing between
     the protected activity and then the discipline
 8
 9
     be a sign of retaliation?
10
                It would depend on what the
     discipline would be. Is it a warranted
11
12
     discipline for a violation of policy, or if it
13
     wasn't a warranted disciplinary action.
                                               Ιt
14
     would have to be reviewed.
15
                Sorry. Let me rephrase.
          Q.
16
                Could it be a potential sign of
17
     retaliation close timing between the protected
18
     activity and then the discipline?
19
                It could be, but it would depend on
20
     the circumstances of the discipline.
21
                Okay. Could ignoring reports of
          0.
2.2
     discrimination be a sign of retaliation?
23
          Α.
                Yes.
24
          0.
                Could physical threats after a
25
     protected activity be a sign of retaliation?
```

| 1 | A. Yes. |
|----|--|
| 2 | Q. Could visible anger after protected |
| 3 | activity be a sign of retaliation? |
| 4 | A. Yes. |
| 5 | Q. Could threats to fire an employee |
| 6 | after protected activity be a sign of |
| 7 | retaliation? |
| 8 | A. Yes. |
| 9 | Q. Could threat to revoke an employee's |
| 10 | security license be a red flag of retaliation? |
| 11 | A. Yes. |
| 12 | Q. Could dispersant treatment be a sign |
| 13 | of retaliation? |
| 14 | A. Yes. |
| 15 | ATTORNEY SHINE: Objection. |
| 16 | Calls for a legal conclusion. |
| 17 | BY ATTORNEY HERNANDEZ: |
| 18 | Q. For example, if someone was let's |
| 19 | say, if one employee was merely suspended for |
| 20 | violating a policy yet another employee that |
| 21 | engaged in protected activity was fired for |
| 22 | violating the same policy, could that be a |
| 23 | potential sign of retaliation? |
| 24 | A. Can you rephrase the question, |
| 25 | please. |
| | |

| 1 | Q. Sure. If one employee was suspended |
|----|--|
| 2 | for violating Allied's policy and another |
| 3 | employee was fired for violating the same |
| 4 | policy but they had engaged in protected |
| 5 | activity, could that be a sign of retaliation? |
| 6 | A. Yes. |
| 7 | Q. Could it be a sign of retaliation if |
| 8 | an employee's disciplinary form is falsified? |
| 9 | A. Yes. |
| 10 | Q. And could it be a sign of |
| 11 | retaliation if a manager lies about having a |
| 12 | witness present in a disciplinary meeting? |
| 13 | A. Yes. |
| 14 | Q. Okay. Thank you. |
| 15 | Do you agree that or does Allied |
| 16 | agree that all investigations into |
| 17 | discrimination or retaliation must be properly |
| 18 | documented? |
| 19 | A. I'm sorry. Can you ask the question |
| 20 | again? |
| 21 | Q. Sure. Does Allied agree that all |
| 22 | investigations into discrimination or |
| 23 | retaliation must be properly documented? |
| 24 | A. Yes. |
| 25 | Q. Okay. And Allied has investigation |
| l | |

```
1
     forms that it uses; correct?
 2
                It does have investigation forms,
 3
     but they're not mandatory to be used.
                                             They're
     provided as a guideline.
 4
 5
                Okay. Are they considered the best
 6
     practice?
 7
          Α.
                Yes.
                You mentioned earlier a scenario of
 8
          0.
 9
     "He said.
                She said or "He said. He said,"
10
     what are investigators taught to do if an
11
     employee reports one thing, but the manager
12
     denies it?
13
                Well, those are the difficult ones.
14
             But we do look for previous patterns.
15
                So, for example, if we had a
16
     situation where we -- it was brought to our
17
     attention allegation of inappropriate
18
     misconduct or inappropriate comments and we --
19
     there was no witnesses, there's nothing that we
20
     could substantiate that the conversation
21
     even -- those conversations occurred,
22
     unfortunately, we don't have enough to state
23
     that, yes, this act occurred.
24
                What we would do is look at any
25
     previous -- if there was any previous complaint
```

1 of the same nature. We would talk to potential 2 witnesses to see if anybody has heard any 3 comments like this previously, and we would 4 look for patterns. 5 But without that information, it's very difficult to substantiate a case. 6 7 Q. Okay. And so without -- without any previous history, is the manager's word taken 8 9 over the employee's word? 10 Let's say it's -- I don't think that Α. 11 we would say -- I mean, we obviously want to 12 have trust in our managers, but since there is 13 a lack of evidence to support it, we do keep it 14 on record to see if something like that happens 15 in the future and we have it on record. But it's -- we document it as "This 16 17 is what the reporter said. This is what the 18 subject of the complaint said. We are unable 19 to confirm that either/or comment occurred." 20 And we would close out the investigation with all the evidence collected, and it would be 21 22 kept on file. 23 But it would just -- with the lack 24 of evidence, it would be hard to determine. 25 Okay. And so say in a situation Q.

```
1
     where an employee is being harassed and they've
 2
     reported this but there's no -- but it's a "He
 3
            He said" situation, there's no --
     there's no protection for the employee going
 4
 5
     forward; correct?
 6
                     ATTORNEY SHINE:
                                       Objection.
 7
     Outside the scope of a 30(b)(6) witness and
     notice.
 8
 9
                And to the extent she has personal
10
     knowledge and you're asking for her independent
11
     personal experience, she may testify.
12
                      THE WITNESS:
                                    Is that what
13
     you're asking for?
14
     BY ATTORNEY HERNANDEZ:
15
          0.
                Yes.
16
          Α.
                Okav.
                       From my personal experience,
17
     if the employee is submitting multiple
18
     complaints against the manager, then we would
19
     be able to review it differently because we got
20
     multiple complaints.
21
                But if it's one complaint and it's
22
     "He said.
                She said and a lack of information,
23
     it would unfortunately be unsubstantiated.
24
                If there's multiple complaints
25
     submitted, then that's -- that would be viewed
```

```
a little bit differently.
 1
 2
                If there are multiple complaints
 3
     submitted and it still remains "He said.
 4
     said, " what's -- what happens?
 5
                     ATTORNEY SHINE:
                                       Again,
 6
     objection.
                 Outside the scope of the 30(b)(6)
 7
     witness and notice.
                However, to the extent she has
 8
 9
     personal knowledge, she may testify to that
10
     independent knowledge.
11
     BY ATTORNEY HERNANDEZ:
12
          0.
                Let me rephrase.
13
                Under Allied's policies and
14
     procedures, if an employee is reporting
15
     harassment more than once but it remains a "He
16
     said. He said situation, what happens?
17
          Α.
                Well, in those circumstances -- now
     we see a little bit of different information
18
19
     since it's a constant reporting.
                                        Now it's --
20
     now we have a little more information to work
21
     off, but there's potentially something is
22
     occurring, but there's this continuous
23
     reporting.
24
                So based on the allegation and the
25
     circumstances, now it's a different view
```

1 because now there's more information because 2 it's not just one complaint. These are 3 multiple complaints. And we're able to review 4 it on a different level with viewing are they similar, what is being said, and what pattern 5 we're seeing. 6 So it's a little bit different if 7 there's more complaints versus just one 8 9 complaint. 10 I'm not sure that the Okay. 0. 11 question was answered. 12 So under Allied's policy, what 13 should happen? 14 It depends on the outcome and what 15 we are able to find. Right. So if we are able 16 to conclude that, yes, we do believe that 17 there's inappropriate comments or, you know, 18 discriminatory comments being made, then we 19 would take action based on our disciplinary 20 matrix. 21 How would Allied determine that, 0. 22 yes, the comment was made if it's the 23 employee's word against the managers word? 24 Α. It depends on the information that 25 we're actually able to collect and information

```
1
     that we find through the course of
 2
     investigation.
                     Right.
 3
                It's not really black and white when
     these investigations are occurring.
                                           The more
 4
 5
     questions that we ask, the more patterns that
     we are looking at, we are able to then possibly
 6
     determine what our next steps are.
 7
                So it really depends on each
 8
 9
     situation.
                 There's not one -- there's no
10
     situations that are all the same, so it really
11
     would depend on what we are able to collect,
12
     what we are able to find through the course of
13
     these investigations.
14
                So it's really difficult to say,
15
     "Here's what the exact next step we would
16
     take."
             It would just depend on the information
17
     we're able to collect.
18
                Okay. What is Allied's policy on
19
     security professionals having beards?
20
                Our policy -- our standard policy is
          Α.
21
     they must be clean shaven.
2.2
                Okay. And if a security
23
     professional must keep a beard for religious
24
     purposes, is there an exception?
25
                Well, we do ask for a religious
          Α.
```

```
accommodation to be completed so we have record
 1
 2
     of it, but it would be the same thing.
                                              They're
 3
     allowed to keep their beard. It just has to be
 4
     clean shaven.
 5
                Can you define "clean shaven"?
 6
                So I believe there's a standard
          Α.
 7
     regarding, you know, them making sure it's
 8
     shaved correctly right above the collar line.
 9
          0.
                Okay.
10
                It's not, like, messy. That it's,
          Α.
     you know, well groomed.
11
12
          0.
                Okay. So a beard is allowed as long
13
     as it's above the collar line and not messy?
14
          Α.
                Correct.
15
                Okay. Are supervisors and managers
          Ο.
     trained that they should allow beards as long
16
17
     as it's above the collar line and not messy?
18
                      It's provided in the grooming
          Α.
                Yes.
19
     standards.
                 Yes.
20
                Okay. If a security professional
          0.
21
     tells his supervisor that he needs to keep his
22
     beard for religious purposes, what should
23
     happen?
24
          Α.
                They could ask for a religious
     accommodation, but it would have -- something
25
```

```
1
     to be reviewed depending on what they're
 2
     requesting for their beard to be. Are they
 3
     saying that they can't shave, be clean shaven
     during this time, the kind of questions we
 4
 5
     would ask.
                But they would be allowed to have
 6
     their beard.
 7
                       That's probably -- I probably
 8
          0.
                Okav.
 9
     asked a bad question, but what should the
10
     supervisor do if -- if the security
11
     professional is indicating that they want to
12
     keep their beard for religious purposes?
13
                They should be able to allow them as
          Α.
14
     it's not a violation of policy.
15
                Okay. So -- and it's -- it's
          0.
16
     against policy for the supervisor to
17
     continually pressure the employee to shave
18
     after they've expressed that request to keep
19
     the beard, right, for religious purposes?
20
          Α.
                There wouldn't be an exact policy
21
     saying that you can't continue to ask someone
22
     that, but no, there would be -- there shouldn't
23
     be a reason why a supervisor is pressuring
24
     someone to do so.
25
                     ATTORNEY HERNANDEZ:
                                           Okay.
                                                   Ιf
```

```
1
     it's okay, I'd like to take just a short
 2
     10-minute break to run to the restroom and then
 3
     come back on the record.
 4
                      THE VIDEOGRAPHER:
                                          Okav.
                                                 Wе
 5
     are now off the record. The time is 9:57 a.m.
     Central Time.
 6
                      (A recess was taken.)
 7
                      THE VIDEOGRAPHER:
 8
                                         We are now
 9
     on the record. The time is 10:09 a.m. Central
10
     Time.
11
     BY ATTORNEY HERNANDEZ:
12
                You testified earlier that Allied
          0.
13
     trains investigators to follow investigation
14
     quidelines; correct?
15
          Α.
                Correct.
16
          0.
                Are the quidelines mandatory?
17
                They're not mandatory. They're just
          Α.
18
     a quideline as a best practice provided to our
19
     investigators as a way to kind of show how
20
     investigations should be done, but no, they're
21
     not mandatory.
22
                Could an employee or an investigator
23
     be disciplined for not doing a proper
24
     investigation?
25
          Α.
                Yes.
```

```
In your history there at Allied, has
 1
 2
     anyone been disciplined for not doing a proper
 3
     investigation?
 4
                     ATTORNEY SHINE: Objection.
 5
     Outside the scope of the 30(b)(6) witness.
                To the extent you're asking for her
 6
 7
     personal knowledge, she may testify.
                                    In my personal
 8
                     THE WITNESS:
 9
     experience, yes, there -- there definitely have
10
            Again, we're -- it's region by region,
11
     so it depends on the region how they would view
12
     that.
13
                But, yes, there have been, in my
14
     experience.
15
     BY ATTORNEY HERNANDEZ:
16
                What were the circumstances
          Ο.
17
     surrounding what -- that discipline?
                     ATTORNEY SHINE:
18
                                       Again,
19
     objection. Outside the scope.
20
                To the extent she's answering from
21
     her personal and information, she may testify.
2.2
                     THE WITNESS:
                                    If this is
23
     something under my review -- we review, you
24
     know, cases all the time. Either if an
25
     employee, you know, brings it to out attention
```

| 1 | that they felt that the investigation was |
|----|---|
| 2 | inadequately completed or we did our own review |
| 3 | and found the investigation was inadequately |
| 4 | completed, we review what was done what was not |
| 5 | done, and determine what level of discipline |
| 6 | based on what was not properly conducted during |
| 7 | that investigation. |
| 8 | So it depends on kind of the |
| 9 | circumstances surrounding it. |
| 10 | BY ATTORNEY HERNANDEZ: |
| 11 | Q. Can you give me an example of |
| 12 | when of an improper investigation? |
| 13 | ATTORNEY SHINE: Objection. |
| 14 | Outside the scope. |
| 15 | To the extent she's answering from |
| 16 | her personal knowledge, she may testify. |
| 17 | THE WITNESS: Sure. In one of |
| 18 | the experiences that I, you know, we've had, we |
| 19 | found that a manager didn't respond to a |
| 20 | complaint. They received a text message of |
| 21 | concerns regarding their supervisors. The |
| 22 | manager failed to even respond or act on it. |
| 23 | And then it was brought to our |
| 24 | attention later that the employee was leaving |
| 25 | the organization because they were not they |

```
felt that we didn't do any actions to act on
 1
 2
     their complaint.
 3
                And the manager was subsequently
     placed on a final with additional training due
 4
 5
     to failure to react to a complaint that was
     brought to their attention.
 6
     BY ATTORNEY HERNANDEZ:
 7
 8
          0.
                Okay. But the manager was not
 9
     terminated?
10
                No, was not terminated.
          Α.
11
                So you mentioned -- what -- under
          0.
12
     Allied's policies, what are managers supposed
13
     to do when somebody reports discrimination?
14
                Managers are supposed to intake a
15
     statement immediately from the reporting party.
16
     They're also required to ask all the relevant
17
     questions; who was involved, when did it occur,
18
     has it happened previously, was this previously
19
     reported, are there any witnesses. Asking for,
20
     you know, potential areas of where it was.
21
     there's potential camera footage, they may go
22
     review it. It just depends if there is or
23
     isn't.
24
                They are to report it to HR
25
     immediately. And we partner with the managers
```

1 to conduct the investigation really depending 2. on what type of allegation it is. 3 Q. Okay. Is Allied's use of force 4 policy mandatory? 5 Α. Yes, it is. Okay. And so the use of force 6 0. 7 policy allows security professionals to use some force if they fear for their own safety or 8 the safety of others; true? 9 10 It has to be in a very extreme Α. No. 11 So it's not just if they feel that level. 12 there's harm, there has to be deadly threat 13 towards them or others in order for them to 14 engage into any physical activity with someone. 15 But it would have to be a threat of fatality. So it's kind of hard to say yes if 16 17 that's the, you know, case. It has to be an 18 extreme measure. 19 For any -- are you saying there has 20 to be a threat of deadly force for any level of 21 the continuum in the use of force policy? 22 That would be the final one. No. 23 There's several levels of the use of force 24 policy. Our security professionals are trained 25 that they should never engage or physically

touch another individual unless their life 1 2. is -- their life or somebody else's life is 3 being threatened or harmed. 4 Okay. So Allied issues guns to 0. 5 armed security professionals; true? Yes. 6 Α. Okay. Allied issues guns to armed 7 Q. security professionals in anticipation that 8 9 there may be some circumstances in which the 10 officer may have to use deadly force; right? 11 It's a deterrent. Α. 12 So are the guns -- is a security Ο. 13 professional ever justified in using their gun 14 under the use of force policy? As a final, final measure after all 15 Α. 16 other options were exhausted and there's a 17 threat of harm to themselves or another 18 individual, then yes. But it's the final 19 circumstance when all other options were 20 exhausted. 21 Okay. But they are allowed to 0. 22 use -- so security professionals are allowed to 23 use deadly force if all other avenues were exhausted; right? 24 And there's a threat of immediate 25 Α.

| 1 | harm, yes. |
|----|---|
| 2 | Q. And there's a threat of immediate |
| 3 | harm. Okay. |
| 4 | Would the use of force policy allow |
| 5 | a security professional to use deadly force if |
| 6 | they were fearful that immediate deadly force |
| 7 | would be used on them? |
| 8 | A. Yes. |
| 9 | Q. Okay. |
| 10 | A. There would have to be a |
| 11 | circumstance that shows whether there was a |
| 12 | weapon displayed or predominantly just that |
| 13 | there was a weapon displayed and that the |
| 14 | individual was, you know, walking towards them |
| 15 | to attack them or another individual. |
| 16 | Q. Okay. And Allied also issues tasers |
| 17 | to officers in anticipation that there may be |
| 18 | some circumstances where the officer has to use |
| 19 | the TASER; right? |
| 20 | A. Yes, but again, that would be the |
| 21 | last and final solution to to a scenario. |
| 22 | Q. So using a TASER would be would |
| 23 | be so let me back up. |
| 24 | On the use of force continuum, using |
| 25 | deadly force is the final step; right? |
| | |

| ı | |
|----|---|
| 1 | A. Correct. |
| 2 | Q. And that's considered Level 6 force; |
| 3 | right? |
| 4 | A. Correct. |
| 5 | Q. Okay. Using a TASER under the |
| 6 | policy, is that considered on the same level as |
| 7 | deadly force? |
| 8 | A. It would be right above that level. |
| 9 | Again, there would have to be a display of some |
| 10 | type of weapon or aggression that would |
| 11 | that's going to harm someone or themselves for |
| 12 | them to be utilizing it. |
| 13 | Q. Okay. And so so based on that |
| 14 | on the policy, that would be considered Level 6 |
| 15 | force; right? |
| 16 | A. That would be |
| 17 | Q. I'm sorry. Level 5 force. |
| 18 | A. Yes. |
| 19 | Q. Okay. 6 is the highest; correct? |
| 20 | THE REPORTER: I'm sorry, |
| 21 | ma'am. Was that a "yes" or a "no"? You just |
| 22 | nodded your head. |
| 23 | THE WITNESS: It was a "yes." |
| 24 | BY ATTORNEY HERNANDEZ: |
| 25 | Q. So based on the policy, I think you |
| | |

| 1 | said using a TASER is allowed if the |
|----|---|
| 2 | professional fears for his safety or the safety |
| 3 | of others and there's been a display of |
| 4 | aggression? |
| 5 | A. Aggression or a weapon. |
| 6 | Q. Or a weapon. Okay. Then the next |
| 7 | level below Level 5 is Level 4; right? |
| 8 | A. Correct. |
| 9 | Q. And so that can involve if the |
| 10 | that can involve the use of pepper spray; |
| 11 | right? |
| 12 | A. I believe so, or detaining at that |
| 13 | point, if I'm not mistaken. |
| 14 | Q. Detaining? Let me see. |
| 15 | A. I would have to refer to the policy |
| 16 | to be exact, but I believe |
| 17 | Q. Okay. |
| 18 | A it would be right above that. |
| 19 | Q. Let me see if I can share my screen. |
| 20 | Are you able to see |
| 21 | A. Yes, I can. |
| 22 | Q. It says "Level 4," and this is Bates |
| 23 | marked AUS_00115. |
| 24 | Do you recognize this as Level 4 of |
| 25 | the use of force continuum? |
| | |

| 1 | A. Yes, yes. |
|----|--|
| | |
| 2 | Q. Okay. So in looking at this, is |
| 3 | Level 4 allowing the use of pepper spray when |
| 4 | the officer has a fear for their own safety or |
| 5 | the safety of others? |
| 6 | A. Yes. |
| 7 | Q. Okay. And so does Allied issue |
| 8 | pepper spray to its security professionals in |
| 9 | anticipation that there may be some |
| 10 | circumstances in which they would need to use |
| 11 | the pepper spray for their own safety or the |
| 12 | safety of others? |
| 13 | A. Yes. Extreme measures, yes. |
| 14 | Q. Then the next level below that would |
| 15 | be Level 3; correct? |
| 16 | A. Yes. |
| 17 | Q. And so I think this is what you were |
| 18 | referring to before where there's it says, |
| 19 | "Use of hands, control hold, and restraints"; |
| 20 | right? |
| 21 | A. Yes. |
| 22 | Q. And so Allied issues its security |
| 23 | professionals handcuffs in anticipation that |
| 24 | there may be some circumstances in which they |
| 25 | need to use the handcuffs; right? |
| | |

| 1 | A. Yes. |
|----|---|
| 2 | Q. And under the policy, are security |
| 3 | professionals allowed to use handcuffs if they |
| 4 | fear for their own safety or the safety of |
| 5 | others? |
| 6 | A. Yes, but again, I would have to |
| 7 | be that has to be somebody posing a real |
| 8 | threat to them. |
| 9 | But, yes, that's what they would |
| 10 | need. |
| 11 | Q. Okay. And so under and then |
| 12 | below that is Level 2, which is just verbal |
| 13 | communication; right? |
| 14 | A. Yes. I wouldn't say "just." This |
| 15 | is the key one. This is what our security |
| 16 | professionals are predominantly trained on as |
| 17 | their best efforts is to verbally attempt to |
| 18 | de-escalate the situation. |
| 19 | They truly at this point, if |
| 20 | they're being unsuccessful with de-escalating a |
| 21 | situation with an individual, the police should |
| 22 | be involved in this matter. |
| 23 | All levels higher than this, these |
| 24 | are just extreme in a situation where there |
| 25 | is there's a threat of harm that poses a |

```
1
     true harm towards individuals. Our security
 2
     professionals are really trained on one and
 3
           Verbal commands are the ones that they
     really are trained to help de-escalate a
 4
 5
     situation, causing a space in between
     themselves and the individuals they're speaking
 6
 7
     with.
                And if that's not working, they
 8
 9
     should really be getting the police involved at
10
     that point.
11
                So are you saying that the security
          0.
12
     professionals are not trained on Levels 3
13
     through 6?
14
                No.
                     That is not what I'm saying.
15
     They're 100 percent trained on all these
     matters, Level 3, 4, and 6. 3 -- sorry.
16
                                                 3, 4,
17
     5, and 6 are the worst-case scenarios.
18
          Ο.
                Okay.
19
                Where you would need to get involved
20
     and de-escalate it to these sections if
21
     there's, again, threats that pose harm to
22
     themselves or others.
23
                We do not only want to train
24
     individuals that they don't have to get to that
25
     level by attempting to de-escalate the
```

```
1
     situation by providing verbal commands to the
 2
     individuals and involving the police, as it
 3
     should be a police matter. If that doesn't
 4
     work and the police maybe don't arrive in time
 5
     and the situation is escalating, then they move
     on to the next levels.
 6
 7
          Q.
                Okay.
                       Excuse me. I lost my train
     of thought for a second.
 8
 9
                These -- these levels allow for some
10
     discretion on the part of the professional;
11
     correct?
12
                Yes.
          Α.
13
                I'm going to stop sharing my screen.
          Q.
14
                Can you give me an example of when
15
     it would be okay for the security professional
     to use their TASER?
16
17
                If an individual displayed a weapon
          Α.
18
     such as a gun or a knife and attempted -- was
19
     maybe, like, walking towards them or another
20
     individual.
21
                Can you give me an example of when a
22
     security professional would be allowed to use
23
     pepper spray?
24
                If an individual was potentially
25
     charging at them in an aggressive manner or
```

1 towards somebody else in an aggressive manner. 2 Okay. And can you give me an 3 example of when the security professional is 4 allowed to use handcuffs? 5 If the individual is charging at 6 themselves or another individual in an 7 aggressive manner. 8 So is that -- that was the same 0. 9 example as Level 4; correct? 10 Correct. And that -- all armed 11 security officers have all means available to 12 them. Some just might have a firearm and 13 handcuffs. Some might just have TASERs and 14 handcuffs. Some might just have OC spray and 15 handcuffs. It depends on the contract. 16 depends on what the post orders and 17 requirements are. So it's difficult to say that in 18 19 each scenario, they should use first their 20 handcuffs, then their OC spray, TASER, deadly force, when not all of our armed security 21 22 officers may have all of those items available 23 to them per the contract requirement. 24 0. Okay. So assuming they have all of 25 those items available, can you give me an

```
example of when it would be okay to use the
 1
 2
     handcuffs and not the pepper spray?
 3
                Because pepper spray is a level
     above the handcuffs; correct?
 4
 5
          Α.
                Correct. So for an example, if we
     had an individual that -- handcuffs would be a
 6
     good situation if there's an individual
 7
     attacking another person or attempting to harm
 8
 9
     another person where our security professionals
10
     were able to intervene and grab their arms and
11
     handcuff them securely.
12
                If they have a circumstance where
13
     they're unable to do that, they could probably
14
     escalate to the next level. But this would be
15
     a circumstance where an individual is
16
     getting -- attacking another individual, our
17
     security professional is able to intervene and
18
     potentially grab the individual's arms and
19
     restrain them.
20
                Okay. If the individual is
          0.
21
     attacking property, not anyone else, is it --
22
     would the security professional be justified in
23
     using a TASER?
24
          Α.
                Not necessarily, no.
25
          0.
                You said, "not necessarily."
```

| 1 | there may be some circumstances where they |
|----|---|
| 2 | would be allowed to use the TASER? |
| 3 | A. If the property damage was resulting |
| 4 | in somebody getting injured, then yes. But if |
| 5 | it's just property damage for example, |
| 6 | somebody is just in a room and breaking |
| 7 | things then that's a police matter, and our |
| 8 | employees would have to refrain from, you know, |
| 9 | interacting with that individual. |
| 10 | If it was if the property damage |
| 11 | was causing harm potential harm to another |
| 12 | person, then we would see potential use for the |
| 13 | OC spray. |
| 14 | Q. I'm sorry. The question was |
| 15 | regarding a TASER, not the spray. |
| 16 | A. I'm sorry. A TASER. Then they |
| 17 | could potentially use a TASER, yes. |
| 18 | Q. Okay. But if the property damage |
| 19 | was not harming an individual, would they be |
| 20 | justified in using the TASER? |
| 21 | A. No, they would not. |
| 22 | Q. And if they did use the TASER |
| 23 | because of property damage, would that security |
| 24 | professional be fired? |
| 25 | A. We would have to do a review whether |
| | |

```
1
     the use of force was justified or unjustified.
 2
     If there was no immediate harm to any persons
 3
     involved in the matter, then there wouldn't
     really be a reason why to use the TASER.
 4
 5
                Okay. Do all violations of the use
     of force policy result in termination?
 6
 7
          Α.
                If they are justified. I mean, I'm
             If it's an unjustified use of force.
 8
     sorry.
 9
                Then if -- if it's an unjustified
10
     use of force, then every security professional
11
     is terminated --
12
          Α.
                Correct.
13
                -- at that point? Okay.
          Q.
14
                Do all use -- do all -- excuse me.
15
                Do all uses of force result in a
16
     root cause analysis?
17
          Α.
                No.
18
                Okay. When is a root cause analysis
          Ο.
19
     used?
20
                First, the situation is evaluated.
          Α.
21
     In situations like a verbal or physical
22
     altercation between, for example, two security
23
     professionals, a root cause analysis would not
24
     be used, but it is considered a use of force.
25
                When there is an individual that is
```

```
1
     engaging with maybe a customer or, for example,
 2.
     engaging with, you know, an unruly -- a
 3
     customer and there has been made -- physical
 4
     contact to achieve a desired outcome, then a
 5
     root cause analysis would be conducted.
                       And does Allied have written
 6
          Ο.
                Okay.
     policies and procedures on how to conduct a
 7
     root cause analysis?
 8
 9
          Α.
                Yes.
10
                Are those mandatory?
          0.
11
          Α.
                Yes.
12
                What is the purpose of the root
          Ο.
13
     cause analysis?
14
                The purpose of the root cause
15
     analysis is to review the circumstances of what
16
     transpired in the incident to determine whether
17
     or not the use of force was justified or
18
     unjustified.
19
                Okay. And so if, during the root
20
     cause analysis, it's determined that the use of
21
     force was justified, then that would -- that
2.2
     would not result in a termination; correct?
23
                After review, it would -- it depends
     on the circumstances. But if it was considered
24
25
     a justified use of force and if we fully
```

| 1 | evaluated the situation that it was determined |
|----|--|
| | |
| 2 | that there was no other option for that |
| 3 | security professional, then, no, it would not |
| 4 | result in termination. |
| 5 | Q. Okay. Who is supposed to be |
| 6 | conducting the use of force analysis I mean, |
| 7 | sorry the root cause analysis? |
| 8 | A. The manager. |
| 9 | Q. The manager conducts the root cause |
| 10 | analysis? |
| 11 | A. Correct. |
| 12 | Q. Okay. Is the security professional |
| 13 | supposed to participate in that process of the |
| 14 | root cause analysis? |
| 15 | A. The security professional that is |
| 16 | involved in the incident? |
| 17 | Q. Yes. |
| 18 | A. No. They provide us a statement in |
| 19 | regards to what transpired and why they |
| 20 | conducted themselves in that manner, and that |
| 21 | information is then used as part of the root |
| 22 | cause analysis. |
| 23 | But they are not involved in |
| 24 | completing it. |
| 25 | Q. Okay. When you say that the manager |

```
should be conducting the root cause analysis,
 1
 2
     which manager are you referring to?
 3
          Α.
                It would be the security
     professional's direct manager.
 4
 5
          Ο.
                Okay.
                Or direct supervisor.
 6
          Α.
 7
          Q.
                Okay. So under your policy, you
 8
     mentioned that you need to get the security
 9
     professional's statement when they're -- a root
10
     cause analysis is conducted; correct?
11
          Α.
                Yes.
12
                And so if the security
          Ο.
13
     professional's statement is not gathered, would
14
     that mean that it's an inaccurate root cause
15
     analysis?
16
                If a statement is not gathered
          Α.
17
     from -- well, basically, the security
18
     professional did not complete an incident
19
     report, that's one part of the root cause
20
     analysis.
21
                We also review potential witnesses,
22
     camera footage, any other information that we
23
     could gather to review the situation.
24
                So if there's a situation where
25
     we're lacking a statement or an incident report
```

| 1 | from the security professional that was |
|----|--|
| 2 | involved, that doesn't just stop there. We |
| 3 | have to do a full investigation into what |
| 4 | transpired. |
| 5 | Q. Was there any video footage reviewed |
| 6 | when Allied conducted Twana Ahmed's root cause |
| 7 | analysis? |
| 8 | A. From our understanding and review, |
| 9 | there was camera footage reviewed on property |
| 10 | following the incident. |
| 11 | Q. Who reviewed that camera footage? |
| 12 | A. Alex Bergeron. |
| 13 | Q. Okay. Skipping back to reports of |
| 14 | discrimination, who does Allied hold |
| 15 | accountable if HR ignores a report of |
| 16 | discrimination? |
| 17 | A. Yes. |
| 18 | Q. The question was: Who does Allied |
| 19 | hold accountable if HR ignores a report of |
| 20 | discrimination? |
| 21 | A. The individual that the report was |
| 22 | submitted to. |
| 23 | Q. Okay. And so how are they held |
| 24 | accountable? |
| 25 | A. In determining the facts, then they |
| | |

```
would determine which level of discipline is
 1
 2
     warranted for that individual and additional
 3
     training.
 4
                Okav. But that would not be a
          0.
     termination?
 5
                It's a case-by-case basis.
 6
          Α.
                                              It would
 7
     determine, you know, how egregious was the
     complaint, you know, how it was mishandled.
 8
 9
     You know, is there a history of this.
10
                It really depends, you know, if it's
11
     a new employee that maybe just didn't know what
12
     to do.
             You know, we put that into perspective.
13
     If it's a tenured employee that should have
14
     known better, that would play into
15
     circumstances.
16
                So it would depend on the
17
     circumstances surrounding that.
18
                Can you clarify what you mean by if
          0.
19
     it's an egregious complaint?
20
                Does that mean that HR is allowed to
21
     ignore complaints that are not considered as
22
     egregious?
23
          Α.
                No.
24
          0.
                        Should any report of
                Okay.
25
     discrimination ever be ignored?
```

| | · |
|----|---|
| 1 | A. No. |
| 2 | Q. Okay. What date was Twana Ahmed |
| 3 | suspended? |
| 4 | A. I believe it was April 4, 2022. |
| 5 | Q. And when was he terminated? |
| 6 | A. The termination date that we have on |
| 7 | file is April 4, 2022. |
| 8 | Q. What does that mean, "the |
| 9 | termination date that we have on file"? Is |
| 10 | that the actual termination date? |
| 11 | A. It's the it would be his last day |
| 12 | worked. I don't know the exact date of when |
| 13 | it was maybe processed. |
| 14 | But the termination date we have on |
| 15 | file for Twana is April 4th. |
| 16 | Q. So if Twana's root cause analysis |
| 17 | if the root cause analysis was performed for |
| 18 | Twana after April 4th, how could he have been |
| 19 | terminated before the analysis was performed? |
| 20 | A. I do not know. |
| 21 | Q. Is it normal procedure for Allied to |
| 22 | first conduct the root cause analysis and get |
| 23 | approval for that termination before the |
| 24 | employee is terminated? |
| 25 | A. Yes. |
| | |

| 1 | Q. Okay. Who has to approve the |
|----|---|
| 2 | termination once a root cause analysis is |
| 3 | performed? |
| 4 | A. Once a root cause analysis is |
| 5 | performed, it is the 10-7 document that's |
| 6 | completed at the direction of our general |
| 7 | counsel, David Buckman. |
| 8 | We then it is reviewed by a panel |
| 9 | of individuals. The manager overseeing that |
| 10 | security professional is the ultimate |
| 11 | decision-maker, but it is reviewed to determine |
| 12 | whether or not the use of force was justified |
| 13 | or unjustified. |
| 14 | Based on the determination of the |
| 15 | panel review, then the manager makes the final |
| 16 | decision on whether termination is warranted |
| 17 | based on our findings. |
| 18 | Q. The manager makes the final |
| 19 | decision. So in this situation in this |
| 20 | circumstance would be Patrick Freeney? |
| 21 | A. Correct. |
| 22 | Q. Under Allied policies, if an |
| 23 | employee is suspended for more than one day, |
| 24 | then an HR professional must be involved; |
| 25 | correct? |
| | |

| 1 | A. No. |
|----|---|
| 2 | Q. Let me pull up give me a second |
| 3 | so I can share screen again. |
| 4 | Are you able to see what I believe |
| 5 | to be the Allied's part of Allied's |
| 6 | disciplinary matrix? |
| 7 | A. Yes. |
| 8 | Q. This is Bates labeled AUS_00746. |
| 9 | At the bottom here, do you see where |
| 10 | it says, "Suspensions without pay of greater |
| 11 | than one day require review with regional HR |
| 12 | manager or regional HR director in advance"? |
| 13 | Did I read that correctly? |
| 14 | A. Yes. |
| 15 | Q. Is that a requirement, then, that if |
| 16 | an employee is suspended for greater than one |
| 17 | day without pay, that either the HR manager or |
| 18 | the HR director needs to be involved? |
| 19 | A. It's a guideline. Depending on the |
| 20 | investigation type like, for example, use of |
| 21 | force incidents, they are predominantly handled |
| 22 | by management, and you know, determining the |
| 23 | outcome would be based on the root cause |
| 24 | analysis. |
| 25 | So this is a guideline of the |

1 expectation, but it doesn't necessarily mean 2 that a manager would need to be involved -- an 3 HR manager, HR director would have to be 4 notified of every suspension in this policy. Okay. So despite the word 5 "required," you're saying this is not 6 7 mandatory? It's a quideline. 8 Α. 9 Who completed -- let me stop Ο. 10 sharing. 11 Who completed Twana's root cause 12 analysis? 13 It would have been Patrick Freeney. 14 And the second reviewer was Felicia Solis-Ramirez. And Bill Keene was also 15 involved in the review. The completion was 16 17 done by Patrick Freeney. 18 Okay. And you're saying that's 0. 19 normal procedure? 20 Α. Correct. 21 Was Patrick Freeney trained in how Ο. 22 to conduct root cause analysis -- analysis? 23 He had to work in support of his Α. 24 direct manager Felicia because that was his first incident of a use of force incident. 25

| 1 | Q. Okay. So the question was: Was |
|----|--|
| 2 | Patrick Freeney trained in how to conduct root |
| 3 | cause analysis? |
| 4 | A. I'm sorry. I do not know. |
| 5 | Q. Okay. I want to ask about the |
| 6 | just in general general background on some of |
| 7 | |
| | the supervisors for Twana. |
| 8 | I believe you mentioned Alex |
| 9 | Bergeron. I is that how you pronounce his |
| 10 | last name? |
| 11 | A. I believe so, yes. |
| 12 | Q. Alex Bergeron, when was he first |
| 13 | hired with Allied? |
| 14 | A. I do not recall the exact dates. We |
| 15 | have records I can refer back to. I can get |
| 16 | exact dates, but I do not recall at this time. |
| 17 | Q. Would you be able to refer to it |
| 18 | right now? |
| 19 | A. I would have to log into our systems |
| 20 | to review it, yeah. |
| 21 | Q. Okay. Does Alex Bergeron still work |
| 22 | for Allied? |
| 23 | A. Yes, he does. |
| 24 | Q. What is his title? |
| 25 | A. His current title is an armed |
| | |

| 1 | security professional. |
|----|--|
| 2 | Q. What was his title when so was |
| 3 | he demoted to armed security professional? |
| 4 | A. Yes, he was. |
| 5 | Q. Okay. When was he demoted? |
| 6 | A. I don't recall the exact dates, but |
| 7 | it was somewhere in the middle of 2022. |
| 8 | Q. And why was he demoted? |
| 9 | A. I do not recall the exact reason. |
| 10 | Q. Was it a result of of the |
| 11 | incident that happened with Twana Ahmed? |
| 12 | A. I do believe there was that. He may |
| 13 | not have instructed Twana properly to complete |
| 14 | an incident report immediately, but I'm not |
| 15 | certain that that was the exact reason for the |
| 16 | demotion. |
| 17 | Q. Who demoted him? |
| 18 | A. It would have been his immediate |
| 19 | supervisor, which would have been Patrick |
| 20 | Freeney. |
| 21 | Q. Has Alex Bergeron ever been the |
| 22 | subject of an investigation at Allied? |
| 23 | A. I do not know. |
| 24 | Q. Would you be able to find out? |
| 25 | A. I believe so, yes. |
| | |

| 1 | named Wayne Oliver? |
|----|---|
| 2 | A. Yes, Wayne Oliver. |
| 3 | Q. Okay. And what is his title? |
| 4 | A. Human resources representative. |
| 5 | Q. And how long has he been an HR rep? |
| 6 | A. He joined Allied on or about |
| 7 | February 2022. |
| 8 | Q. What is his level of education? |
| 9 | A. He has a degree in HR and had 10 |
| 10 | years of HR experience prior to joining Allied. |
| 11 | Q. Has he been trained was he |
| 12 | trained in how to conduct investigations while |
| 13 | at Allied? |
| 14 | A. I do not know. |
| 15 | Q. Does he still work for Allied? |
| 16 | A. Yes, he does. |
| 17 | Q. Is his title still HR rep? |
| 18 | A. Yes, it is. |
| 19 | Q. At Allied, are the HR reps primarily |
| 20 | the people responsible for conducting |
| 21 | investigations? |
| 22 | A. They're heavily involved in it. It |
| 23 | depends on if they're assigned a case. |
| 24 | So once we get presented a case, |
| 25 | it's at the discretion of the HR directors and |

```
exact number of individuals she would have --
 1
 2
     she would have directly been involved with, but
 3
     it would have been the branch staff.
                                             We could
 4
     definitely find that information out, as well,
 5
     though.
                Did Patrick Freeney submit the
 6
          Ο.
 7
     hotline report?
                No.
 8
          Α.
 9
                Who submitted the report?
          Ο.
10
                It was another individual in the
          Α.
11
     branch.
              I believe her name was Savannah.
12
          0.
                Okav.
                        What was the date of that
     investigation?
13
14
                I do not recall.
15
          0.
                Okay.
                        I'm not sure if I asked this
16
     before, but was Catherine Barnes the subject of
17
     an investigation while during -- has she been
18
     the subject of an investigation while at
19
     Allied?
20
          Α.
                I do not believe so, no.
21
                Has she been issued any discipline?
          Ο.
22
                I do not know.
          Α.
23
                Was Catherine Barnes disciplined in
          0.
24
     any way when she ignored Twana Ahmed's report
     of discrimination?
25
```

| 1 | A. I do not know. |
|----|---|
| 2 | Q. Would you be able to find out? |
| 3 | A. Yes. |
| 4 | Q. Could you find out right now? |
| 5 | A. I would have to get in contact with |
| 6 | the Houston branch to do that. |
| 7 | Q. Okay. When a report of |
| 8 | discrimination is ignored, what could happen to |
| 9 | the employee? |
| 10 | A. I believe we covered this a little |
| 11 | bit earlier, but it really depends on the |
| 12 | circumstances, what transpired, and you know, |
| 13 | it depends on the tenure of the individual as |
| 14 | well. |
| 15 | But there should be either a |
| 16 | coaching session or guidance provided, |
| 17 | retraining to an individual that has ignored |
| 18 | it. It really would depend on the manager's |
| 19 | decision on that, but there should be some |
| 20 | level of coaching and above to an individual |
| 21 | that ignored a complaint. |
| 22 | Q. So let me rephrase the question. I |
| 23 | did not ask it in a great way. |
| 24 | When a report of discrimination is |
| 25 | ignored, what could happen to the employee |

```
1
     that's reporting?
 2
                     ATTORNEY SHINE:
                                       Objection.
 3
     Calls for speculation. Outside the scope of
 4
     the 30(b)(6).
 5
                To the extent she has personal
 6
     knowledge, she may answer.
 7
                     THE WITNESS:
                                    I quess I don't
     understand the question, and I quess I don't
 8
 9
     know.
10
     BY ATTORNEY HERNANDEZ:
11
                What's the danger in ignoring
          Ο.
12
     reports of discrimination to the employees that
13
     are reporting?
14
                     ATTORNEY SHINE:
                                       Same
15
     objection.
16
                     THE WITNESS: You know, in my
17
     experience, you know, obviously, there -- there
18
     is a concern if there's -- obviously, if
19
     there's not action taken immediately to
20
     investigate, because it is our standard to
21
     immediately investigate concerns as they're
22
     brought to our attention. If somebody does
23
     fail to act or escalate a concern that was
24
     brought their attention, it is our -- you know,
25
     from my experience, it is to either coach or
```

```
1
     discipline, depending, you know, case by case,
 2
     determining what level is warranted in that
 3
     situation.
 4
     BY ATTORNEY HERNANDEZ:
 5
                Could it create an unsafe working
     condition for the employee -- for the
 6
 7
     reporter --
                      ATTORNEY SHINE:
 8
                                        Same
 9
     objection.
10
     BY ATTORNEY HERNANDEZ:
11
          Ο.
                -- if the report is ignored?
12
                Okay. Can you rephrase the
          Α.
13
     beginning of that question?
14
                Sure. Could ignoring the report of
15
     discrimination create an unsafe working
     environment for the reporter?
16
17
                      ATTORNEY SHINE:
                                       Same
18
     objection.
19
                      THE WITNESS: I mean, in my
20
     experience, it could.
21
     BY ATTORNEY HERNANDEZ:
22
                Could it lead to continued
          Ο.
23
     harassment?
24
                      ATTORNEY SHINE:
                                       Same
25
     objection.
```

```
1
                      THE WITNESS:
                                     In my
 2
     experience, it could.
 3
     BY ATTORNEY HERNANDEZ:
                 Could it lead to unfair discipline?
 4
          0.
 5
                      ATTORNEY SHINE:
                                        Same
     objection.
 6
 7
                      THE WITNESS:
                                     In my
     experience, it could.
 8
 9
     BY ATTORNEY HERNANDEZ:
10
                Do you understand what I mean when I
          Ο.
11
     say the "N word"?
12
          Α.
                 Yes, I do.
13
                Do you agree that the N word is a
          Q.
14
     racial slur?
15
                      ATTORNEY SHINE:
                                        Objection.
16
     Calls for a legal conclusion. Outside the
17
     scope of the 30(b)(6) witness.
18
                 To the extent she has any personal
19
     knowledge, she may testify.
20
                      THE WITNESS:
                                     Yes, I do.
21
     BY ATTORNEY HERNANDEZ:
22
                Under Allied's policies, is the N
23
     word considered a racial slur?
24
          Α.
                 Yes, it is.
25
                 Is it against Allied's policies to
          Ο.
```

```
use the N word in the workplace?
 1
 2
          Α.
                Yes, it is.
 3
                Is it against Allied's policies for
          Q.
 4
     managers to call workers a "sand N word"?
 5
          Α.
                Yes, it is.
                On a scale of 1 to 10, with 1 being
 6
          0.
 7
     not harmful at all and 10 being extremely
     harmful, how harmful is it to call someone a
 8
 9
     sand N word?
10
                     ATTORNEY SHINE: Objection.
11
     Outside the scope of the 30(b)(6) notice.
12
                To the extent she has personal
13
     knowledge or experience, she may testify.
14
                      THE WITNESS:
15
     experience, yes. I mean, sorry. I apologize.
                     ATTORNEY HERNANDEZ:
16
                                           Thank
17
           I'm just going to take a couple minutes
     you.
18
     to look over my notes, but I think I'm about
19
     ready to wrap up.
20
                Take five minutes.
21
                     THE VIDEOGRAPHER: We are now
22
     off the record. The time is 11:21 a.m. Central
23
     Time.
24
                      (A recess was taken.)
25
                     THE VIDEOGRAPHER: We are now
```

```
1
     on the record. The time is 11:24 a.m. Central
 2
     Time.
 3
     BY ATTORNEY HERNANDEZ:
 4
                Okay. Just a few follow-up
          0.
 5
     questions on records.
 6
                How does Allied ensure that employee
 7
     notices of counseling are not backdated?
                I would not know.
 8
          Α.
 9
                Are is there any policy that
          Ο.
10
     requires that the notices of counseling be
11
     logged into a system somewhere or digitally
12
     prepared?
13
                They are -- they could be digitally
14
     prepared or handwritten.
                                There is no direction
15
     in which they should do it in.
16
                Once a disciplinary record is
17
     completed, we should be logging it into our
18
     NAVEX system for recordkeeping.
19
          0.
                Okay.
20
                      THE REPORTER:
                                     I'm sorry.
21
     What's that system called?
2.2
                      THE WITNESS:
                                    NAVEX.
23
                      THE REPORTER:
                                     Thank you.
24
     BY ATTORNEY HERNANDEZ:
25
          0.
                So once a -- once a disciplinary
```

1 form is issued, it should be logged in that 2 same day that it's given? 3 It doesn't necessarily need to be Α. 4 logged in that same day, but it should be 5 logged in as quickly as possible. Okay. So then there's no -- there's 6 no way that Allied can ensure that the notices 7 are not backdated; true? 8 9 We would trust that our managers are Α. 10 putting the correct dates on there. 11 Okay. But I don't think that Ο. 12 answered the question. There's no way that 13 Allied can ensure that the notices of 14 counseling are not backdated; true? 15 Α. True. 16 Okay. How does Allied ensure that Ο. 17 an employee is actually given the counseling? 18 On the bottom portion of the -- of the disciplinary notice, there's a section for 19 20 signatures where it requires the employee to 21 sign or the individual receiving the 22 discipline. 23 If they refuse to sign it, we would write on the line that they refused to sign. 24 25 Q. And so if the manager wrote down,

```
"Refused to sign," there's no way for Allied to
 1
 2
     know that the employee actually received the
 3
     notice; correct?
 4
                It would be based on the information
          Α.
 5
     located at the bottom of the disciplinary
              That's how we would be confirming it.
 6
     notice.
 7
          Q.
                I'm sorry. I don't think that
     answered the question.
 8
 9
                But if -- if the manager is the one
10
     that writes down "Refused to sign" but doesn't
11
     actually give the employee the notice, there's
12
     no way for Allied to know whether the employee
13
     actually got the notice; true?
14
                Correct.
          Α.
15
                Does Allied, as part of its
          Ο.
16
     policies, require there to be a witness when an
17
     employee is counseled?
18
          Α.
                Yes.
19
                Okay. So is a witness to the
          Ο.
20
     counseling one way that Allied can ensure that
21
     the counseling actually happened?
22
          Α.
                Yes.
23
                Okay. And so if -- if there's -- if
          Ο.
24
     there isn't a witness, is that against Allied's
25
     policies?
```

| 1 | A. No, not necessarily. No. |
|----|---|
| 2 | Q. Okay. So sorry. Going back, I |
| 3 | believe you just testified that it that a |
| 4 | witness is required when an employee is given a |
| 5 | notice of counseling. |
| 6 | A. Yes. On the bottom of the form, we |
| 7 | do have space that to provide where the |
| 8 | employee that's receiving the disciplinary, the |
| 9 | manager that's issuing, and then a witness |
| 10 | that's part of the that's in the room |
| 11 | witnessing the counseling or termination |
| 12 | transpiring should sign it, as well. |
| 13 | Q. Okay. Thank you. |
| 14 | If it's determined that a witness's |
| 15 | signature was falsified, is that a potential |
| 16 | red flag of retaliation? |
| 17 | A. If a witness signature is falsified? |
| 18 | Q. Yes. |
| 19 | A. No, no. |
| 20 | Q. Would that be a red flag at all to |
| 21 | you |
| 22 | A. It would be a red flag, yes. |
| 23 | Q. What would it be a red flag of? |
| 24 | A. Improper recordkeeping. |
| 25 | Q. So if a manager wanted to retaliate |
| | |

| 1 | against retaliate against an employee by |
|----|---|
| 2 | creating a paper trail of concerns and forging |
| 3 | witness signatures, would that be a red flag to |
| 4 | you of potential retaliation? |
| 5 | ATTORNEY SHINE: Objection. |
| 6 | Outside the scope of the 30(b)(6) witness. |
| 7 | To the extent you're asking for her |
| 8 | personal knowledge or opinion, she can answer. |
| 9 | THE WITNESS: Yeah. And in my |
| 10 | personal opinion, yes, that would. |
| 11 | BY ATTORNEY HERNANDEZ: |
| 12 | Q. Okay. Is it against Allied's |
| 13 | policies for somebody to fake signatures on |
| 14 | counseling forms? |
| 15 | A. I'm sorry. Can you reask the |
| 16 | question? |
| 17 | Q. Is it against Allied's policy for a |
| 18 | manager to fake signatures of witnesses on |
| 19 | counseling forms? |
| 20 | A. Yes. |
| 21 | Q. Is it against Allied's policies for |
| 22 | a manager to backdate counseling forms? |
| 23 | A. I guess I would have to understand |
| 24 | what the backdate would be. Is it backdating |
| 25 | to not the date of the actual meeting? I would |

```
1
     just need to get clarity on that question.
 2
                Right. Fair enough. Is it
 3
     against's Allied's policy to -- for managers to
 4
     create counseling forms that were never
 5
     actually given?
 6
          Α.
                Yes.
 7
                      ATTORNEY HERNANDEZ:
                                           Okay.
     Pass the witness.
 8
 9
                      ATTORNEY SHINE: I have no
10
     questions.
11
                      THE VIDEOGRAPHER:
                                         Okay.
12
     Ms. Repsik, would you like to confirm
13
     transcript orders first?
14
                      THE REPORTER: Yes.
15
                Mr. Shine, do you need a copy of the
16
     transcript?
17
                      ATTORNEY SHINE:
                                       Yes, please.
18
                      THE REPORTER: Does anyone
19
     need a rough draft?
20
                      ATTORNEY SHINE:
                                       No.
21
                      ATTORNEY HERNANDEZ:
                                            No
2.2
     thanks.
23
                      THE REPORTER: All right.
24
     Thank you.
25
                      THE VIDEOGRAPHER:
                                         Okay.
                                                 And
```

| | SEPTEMBER 13, 2024 |
|----------|--|
| 1 | COMMONWEALTH OF PENNSYLVANIA)) SS |
| 2 | COUNTY OF BERKS) |
| 3 | CERTIFICATE |
| 4 | I, Alyssa A. Repsik, a notary public in and for the Commonwealth of Pennsylvania, do hereby |
| 5 | certify that the witness, ANNA SOJA, PMK, was by me first duly sworn to testify the truth, |
| 6 | the whole truth, and nothing but the truth; |
| 7 | that the foregoing deposition was taken at the time and place stated herein; and that the said |
| 8 | deposition was recorded stenographically by me and then reduced to typewriting under my |
| 9 | direction and constitutes a true record of the testimony given by said witness. |
| 10 | I further certify that I am not a relative, employee, or attorney of any of the parties or |
| 11 | a relative or employee of either counsel and |
| 12 | that I am in no way interested directly or indirectly in this action. |
| 13 14 | IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office this 24th |
| | day of September 2024. |
| 15 | |
| 16 | alyse a. Pre |
| 17 | Alyssa A. Repsik, Notary Public Court Reporter |
| 18 | Notary Public Berks County |
| 19 | My Commission Expires March 12, 2028 Commission Number 1296614 |
| 20 | |
| 21 | |
| 22 | |
| 23 | |
| 24 | |
| 25 | |
| | |

Exhibit 4

excerpts from Twana Ahmed deposition

```
1
```

```
1
                 UNITED STATES DISTRICT COURT
              FOR THE SOUTHERN DISTRICT OF TEXAS
2
                      HOUSTON DIVISION
3
     TWANA AHMED,
4
            Plaintiff,
5
     VS.
                               C.A. NO. 4:23-cv-02823
6
     UNIVERSAL PROTECTION
     SERVICE, LP d/b/a
7
     ALLIED UNIVERSAL
     SECURITY SERVICES,
8
            Defendant.
9
        10
              ORAL AND VIDEOTAPED DEPOSITION OF
11
                        TWANA AHMED
12
                     SEPTEMBER 19, 2024
        13
14
15
                 THE ORAL AND VIDEOTAPED DEPOSITION OF
    TWANA AHMED, produced as a witness at the instance of
16
17
    the Defendant, and duly sworn, was taken in the
18
    above-styled and numbered cause on the 19th day of
19
    September, 2024, from 9:45 a.m. to 6:58 p.m., before
20
    Andrea L. Desormeaux, CSR in and for the State of
2.1
    Texas, reported by machine shorthand, at the offices of
    Vorys, Sater Seymour & Pease, 909 Fannin, Suite 2700,
22
    Houston, Texas, pursuant to the Federal Rules of Civil
23
24
    Procedure and the provisions stated on the record or
25
    attached hereto.
```

```
Α.
                     I don't remember that, no.
      1
09:53:09
09:53:17
               Ο.
                     Twana, I just want to go through a couple of
          background questions with you. Can you please state
      3
09:53:27
          your full legal name for the record.
09:53:30
      4
                     Twana, first name.
                                            Last name is Ahmed.
09:53:33
      5
               Α.
09:53:37
               Ο.
                     Do you have a middle name?
               Α.
                     Don't use one.
                                       Don't have one.
09:53:38
                     And it's my understanding that you speak
09:53:40
      8
               Ο.
          multiple languages; is that correct?
09:53:42
                     That's correct.
09:53:43 10
               Α.
09:53:44 11
                     How many languages do you speak?
               Q.
09:53:47 12
               Α.
                     Kurdish, Arabic, English.
09:53:47 13
                           THE REPORTER: Can you speak up for me?
09:53:48 14
               Α.
                     Like four languages. Four or three languages.
09:53:52 15
                     And what languages are those?
               Ο.
                     English, Kurdish, and Arabic.
09:53:54 16
               Α.
09:54:00 17
                     I'm sorry. English and what was the middle
               ο.
09:54:02 18
          one?
                     Kurdish and Arabic.
09:54:02 19
               Α.
09:54:03 20
                     Okay. And what's your fluency level with
               Ο.
09:54:06 21
          English?
09:54:07 22
               Α.
                     I speak English well but it's not my mother
09:54:10 23
          language.
09:54:10 24
               Q.
                     Okay.
09:54:12 25
                     There's things I might understand and there's
               Α.
```

```
This one?
      1
              Α.
                                Yes.
10:03:00
10:03:01
      2
              Ο.
                    And did you review this document before it was
      3
          filed on your behalf?
10:03:03
10:03:04
      4
              Α.
                    Yes.
                    And do you know where your lawsuit was
10:03:05
10:03:08
      6
          originally filed?
                    In Houston.
10:03:09
                    Do you know if it was in state or federal
10:03:10
      8
              Ο.
10:03:14
      9
          court?
                    Federal court.
10:03:16 10
              Α.
10:03:17 11
                    Would it surprise you to learn that Allied
              Q.
10:03:22 12
          Universal moved the case to federal court?
10:03:28 13
                    I don't know. Would it surprise me?
          too sure if it would surprise me or not. I don't know
10:03:31 14
10:03:34 15
          what's the difference between the courts very well.
                    When were you first hired with Allied
10:03:36 16
              Ο.
10:03:38 17
          Universal?
10:03:38 18
                    In the year of 2021. In the ending of the
10:03:42 19
          year, during the holiday time.
10:03:45 20
                    And what type of hiring process did you have
10:03:52 21
          to go through?
10:03:53 22
                    It was a hiring event at a hotel off of
          Westheimer Street. I walked in and I met a recruiter,
10:03:56 23
10:04:09 24
          a female recruiter. And she interviewed me, short
10:04:17 25
          interview, because I had a permit for security, like a
```

```
license, and they were looking for people with actual
10:04:22
      1
10:04:26
      2
          license handy. And they were very short of staff, and
          they wanted people with experience. And I started the
10:04:31
      3
          process from that day. Anyone -- it was a very short
10:04:35
      4
          process because, like, they wanted people very fast.
10:04:41
          They wanted just to get you in to fill up their needs
10:04:44
      6
10:04:48
          and their spots.
                    Okay. Do you know when you went to that
10:04:49
      8
              Ο.
          hiring event?
10:04:53
      9
10:04:54 10
              Α.
                    When?
                            It was close to the holiday in 2021.
          don't exact remember a date.
10:04:59 11
10:05:15 12
                          (Exhibit No. 2 marked.)
10:05:15 13
                    (By Mr. Shine) Twana, you're being handed a
              0.
          copy of an email that you provided in discovery.
10:05:17 14
          labeled AhmedAllied 479.
10:05:20 15
10:05:30 16
                          What's the date of this email?
10:05:35 17
              Α.
                    10/21.
                    I'm sorry. Is that December 10th of 2021?
10:05:40 18
              Ο.
10:05:45 19
              Α.
                    Yes.
10:05:45 20
                    And what email address was it sent to?
              Ο.
                    Allied Universal. It's right here.
10:05:49 21
              Α.
                    What email address was it sent to?
10:05:53 22
              Q.
                    It's from my email.
10:05:55 23
              Α.
10:05:58 24
                    And what is your email address?
              Q.
10:06:00 25
                    Twana_202020@yahoo.com.
              Α.
```

```
10:09:55
                    Can you describe what she looked like?
      1
              Ο.
10:09:57
      2
              Α.
                    It was multiple persons, not one. One of
          them, she was an Asian, a little brown skin.
      3
10:10:02
                                                              The
          second one, an older lady with gray hair, an African
10:10:11
      4
      5
          American.
10:10:19
                    Was it just those two people?
10:10:20
      6
              Ο.
10:10:22
                    I believe there was a third one.
          one was not an interview, just reviewing paperwork.
10:10:24
      8
                    And was that a male or a female?
10:10:29
              Ο.
                    It was a female too.
10:10:32 10
              Α.
                    And what did she look like?
10:10:34 11
              Q.
10:10:36 1.2
              Α.
                    Tall, younger black lady.
10:10:39 13
                    After your interview, what happened next?
              Ο.
10:10:48 14
                    My -- after my interview -- my interview was
              Α.
10:10:50 15
          really quick. Just reviewing my -- reviewing
10:10:55 16
          documents. And they wanted me to make copies of my
10:11:02 17
          documents and fill up the form, application, and start
10:11:09 18
          the process of employment with them.
10:11:10 19
                    Did you receive an offer letter?
              Ο.
10:11:12 20
                    Receive an offer letter?
              Α.
                                                  It doesn't ring any
10:11:19 21
                  I don't think so.
          bell.
                          (Exhibit No. 4 marked.)
10:11:32 22
                    (By Mr. Shine) Twana, you've been handed a
10:11:32 23
              Ο.
          copy of an email that you provided in discovery,
10:11:34 24
          labelled AhmedAllied 477. What is the date of this
10:11:38 25
```

```
18, for example. Do you see where I'm referring to?
10:12:52
      1
10:12:54
              Α.
                    Yeah.
                    Can you turn to page 8. And do you see how
10:12:55
10:13:15
          your paragraphs are numbered? For example, on page 8
          it says 41, 42, 43. Do you see where I'm referring?
10:13:18
10:13:21
              Α.
                    Yes.
10:13:22
                    Specifically looking at paragraph 41, can you
              Ο.
          please read that paragraph to yourself and look up when
10:13:24
      8
          you're finished.
10:13:27
                    "In December of 2021" --
10:13:28 10
              Α.
10:13:30 11
                    I'm sorry. You can read it quietly to
              Q.
10:13:33 12
          yourself and then look up when you're finished.
10:13:35 13
                    Oh, okay.
              Α.
10:14:20 14
                          Some of it's blurry. I cannot see it
                       But some of it, I can see it.
10:14:24 15
          very well.
                    Does that indicate you are finished reading?
10:14:29 16
              Ο.
10:14:31 17
              Α.
                    Yeah.
                    Based on what you just read, is it fair to say
10:14:31 18
10:14:38 19
          that this paragraph states that Allied does not train
10:14:42 20
          its new security guards at the time of hiring?
10:14:47 21
              Α.
                    No, they don't train at this -- at the hiring
10:14:53 22
          program, no.
                    Okay. So when did you first get trained?
10:14:55 23
              Ο.
10:14:57 24
                    I got -- I got -- I got trained after when I
              Α.
10:15:02 25
          was already working in the field.
```

```
About how long after?
      1
               Ο.
10:15:05
10:15:09
      2
               Α.
                    Month or two, if not more.
                    Did you complete a new employee orientation?
10:15:20
      3
               Ο.
10:15:26
      4
               Α.
                    A new employee orientation?
                                                      I believe so.
                    Did you complete any other trainings?
10:15:31
      5
               Ο.
                           The Elite training.
10:15:36
      6
               Α.
10:15:39
                    And it is your testimony you weren't trained
               Ο.
          until a couple of months after starting?
10:15:42
     8
10:15:46
               Α.
                    Yes.
                           (Exhibit No. 5 marked.)
10:16:07 10
10:16:07 11
               Q.
                     (By Mr. Shine) Twana, you've been handed a
10:16:08 12
          training certificate for your New Employee Orientation.
10:16:15 13
          Have you seen this document before?
10:16:16 14
                    I've seen it in the computer.
               Α.
10:16:18 15
                    And is that your name in the middle?
               Ο.
10:16:20 16
               Α.
                    Yes.
10:16:20 17
                    Is that your handwriting?
               Ο.
10:16:21 18
                    Yes.
               Α.
10:16:22 19
                    And what date did you complete New Employee
               Ο.
10:16:25 20
          Orientation?
                    That was on the 15 -- on 10, 11 -- 12/15/2021.
10:16:25 21
               Α.
10:16:31 22
               Q.
                    And when did you start your employment?
10:16:32 23
                    A couple days or a week.
               Α.
                                                   A week,
          approximately. I don't remember.
                                                   I was already in the
10:16:38 24
10:16:40 25
          field after when I got my equipment.
```

```
Okay. At the time that you completed New
      1
               Ο.
10:16:43
10:16:47
          Employee Orientation on December 15th of 2021, you had
          just started.
                           Is that fair to say?
10:16:52
      3
                    Started working, basically?
10:16:57
               Α.
                    Correct.
10:17:00
      5
               Ο.
                          Because I didn't receive any uniform or
10:17:08
                    No.
10:17:14
          anything like that. How will I be working?
10:17:17
                    Twana, if you can look at what's been marked
               Ο.
          as No. 4, which is your offer letter received from
10:17:20
          Allied Universal. It's going to be one of the
10:17:24 10
          documents on the side with a little yellow sticker that
10:17:30 11
10:17:33 12
          says Number 4.
10:17:35 13
               Α.
                    Oh, I see it.
10:17:35 14
                    There should be one that says Number 4.
               Ο.
10:17:38 15
                    This one?
               Α.
10:17:39 16
               Ο.
                    Yes.
10:17:40 17
               Α.
                    Okay.
                    What is the date of that offer letter?
10:17:40 18
               Ο.
10:17:42 19
               Α.
                    It's the 14th.
10:17:45 20
                    And the date of your New Employee Orientation?
               Ο.
                    It's the -- right here on the 15th.
10:17:48 21
               Α.
10:17:50 22
                    So you were trained through New Employee
          Orientation the day after you received your offer
10:17:54 23
10:17:56 24
          letter, correct?
10:17:56 25
                          MS. HERNANDEZ:
                                             Objection; misstates
```

CONTINENTAL COURT REPORTERS, INC.- HOUSTON (713) 522-5080

```
10:17:58
      1
          testimony.
10:18:03
              Α.
                    That's the 14th.
                                        That's the 15th.
                                                             There was
          no actual training. Let's just go through it, go
10:18:07
      3
10:18:10
      4
          through it, go through it so you can be in the field
          working.
10:18:12
      5
                    (By Mr. Shine)
                                      Was there an exam or a test
10:18:13
10:18:16
          that you had to complete during new employee
          orientation?
10:18:20
      8
                    I believe so. But they would give you answer
10:18:20
              Α.
          at the same time of the test. So basically when you
10:18:29 10
10:18:31 11
          take a test, they give you the answer because they just
10:18:35 12
          wanted me to be in the field. So was it a test?
10:18:38 13
          it not a test? Don't know what exactly was -- was
10:18:41 14
          done.
                  It was on the computer.
10:18:43 15
                    But you received New Employee Orientation as
          of December 15th, correct?
10:18:46 16
10:18:47 17
              Α.
                    According to this, yes.
                          (Exhibit No. 6 marked.)
10:19:13 18
10:19:13 19
                    (By Mr. Shine) Twana, you've been handed a
              Ο.
10:19:17 20
          second training certificate for a course on Preventing
          Unlawful Discrimination & Harassment. Have you seen
10:19:20 2.1
          this document before?
10:19:25 22
              Α.
10:19:26 23
                    I don't remember.
10:19:26 24
                    At the bottom of the page, is that your
10:19:33 25
          handwriting?
```

```
1
               Α.
                     That is, yes.
10:19:33
10:19:34
      2
                     And does that spell your name?
               Ο.
      3
10:19:38
               Α.
                     Yes.
10:19:38
      4
               Ο.
                     And what date does it say you completed this
          training?
10:19:41
      5
                     12/15/21.
10:19:42
      6
               Α.
                     Other than the two training certificates that
10:19:47
          we just discussed, did you complete any additional
10:19:52
      8
          training at the time you were hired?
10:19:54
                     I don't remember.
10:19:56 10
               Α.
10:19:57 11
                     I want to go back to your complaint.
               Q.
10:20:03 12
          that first document that we started talking about.
10:20:07 13
               Α.
                     This one?
10:20:07 14
                     It's been marked as Number 1.
               Ο.
10:20:09 15
               Α.
                     Okay.
                     Still on page 8, starting on paragraph 42.
10:20:09 16
               Ο.
10:20:16 17
          you see where I'm referring to?
10:20:17 18
               Α.
                     Yeah.
10:20:17 19
                     Please read paragraph 42 to yourself and look
               Ο.
          up when you are finished.
10:20:20 20
10:20:45 21
               Α.
                     Okay.
10:20:45 22
               Q.
                     Is it fair to say that you completed something
          known as Elite training?
10:20:50 23
10:20:51 24
                     Elite training, that's correct.
               Α.
10:20:53 25
                     And what is your understanding of the
               Ο.
```

```
requirements to become an Elite security quard with
      1
10:20:56
10:21:01
      2
          Allied?
                    Well, it is a qualification course to qualify
10:21:02
               Α.
          for your firearm and Taser and how to use them.
10:21:05
                    And when did you take that course?
10:21:15
      5
               Ο.
                    After when I was already working in the field.
10:21:20
               Α.
10:21:24
                    How long after?
               Ο.
                     I don't remember how long after but probably a
10:21:25
      8
               Α.
          month or two. I'm not too sure.
10:21:30
                    One to two months?
10:21:32 10
               Ο.
10:21:36 11
                    Maybe.
               Α.
10:21:41 12
                    Where were you working prior -- in the field
               Ο.
10:21:47 13
          prior to completing that training?
                    Before the Elite training, I was working at --
10:21:49 14
          excuse me -- different sites, H-E-B sites, different
10:21:54 15
10:22:03 16
          ones.
                    You said H-E-B sites?
10:22:03 17
               Ο.
10:22:05 18
               Α.
                    Yes.
10:22:05 19
                    And what do you understand H-E-B to be?
               Ο.
10:22:08 20
                    It's a grocery store.
               Α.
                    Did you work only at H-E-B?
10:22:10 21
               Q.
                          They have different stores under their
10:22:11 22
               Α.
                    No.
          logo with different names.
10:22:15 23
10:22:16 24
                    Okay. When you said you were working at sites
               Ο.
10:22:19 25
          before the Elite training --
```

```
10:22:20
               Α.
      1
                     Yeah.
10:22:21
      2
               0.
                     -- where specifically did you work?
                     Specific store addresses?
10:22:26
      3
               Α.
10:22:27
      4
               Ο.
                     Yes.
                     I worked at a -- one in downtown, close by
10:22:28
                  I worked in... close to San Felipe, I believe
10:22:34
      6
          so, that they had a store over there too still.
10:22:53
                  I don't remember the actual street names.
10:22:57
      8
                    Did you work at any location other than an
10:23:00
10:23:03 10
          H-E-B store?
                          The only one I worked, it was under H-E-B
10:23:05 11
               Α.
                     No.
          with different company names. The same H-E-B but
10:23:10 12
10:23:15 13
          different names. They don't call it H-E-B.
10:23:17 14
               Ο.
                     How long was the Elite training program?
10:23:20 15
               Α.
                     A week.
                     Where was it held?
10:23:20 16
               Ο.
10:23:23 17
               Α.
                     It was two -- it was -- there was a field and
10:23:29 18
          there was office training.
                     So in the office, where was it held?
10:23:31 19
               0.
10:23:34 20
                     On 45.
               Α.
                     I don't know what that means.
10:23:36 21
               Ο.
                     45 South, the Allied office.
10:23:37 22
               Α.
                     And in the field, where was it held?
10:23:41 23
               Ο.
10:23:43 24
                     It was somewhere an hour and 45 minutes away
               Α.
10:23:48 25
          from the office, middle of nowhere.
```

```
And when you say "field," what type of field
      1
10:23:51
              Ο.
10:23:53
      2
          was it?
                    It was a big -- I don't know how many hundreds
10:23:54
      3
              Α.
          of acre of land. It was -- they had a range. We had
10:23:59
      4
          to qualify over there.
10:24:02
                    When you say a range, what do you mean by
10:24:03
10:24:04
      7
          that?
                    Fire range.
10:24:04
      8
              Α.
                    What are the topics that you covered during
10:24:06
              Ο.
          the Elite training?
10:24:08 10
10:24:11 11
              Α.
                    Sorry?
10:24:13 12
                    What did you learn about during the Elite
              Ο.
10:24:16 13
          training?
                    They -- one of the trainings, for example, it
10:24:16 14
              Α.
10:24:24 15
          was about qualifying for the firearm. One of them was
          for when to use the Taser, when to not use it. Like
10:24:29 16
10:24:36 17
          basically if you pepper spray somebody, do not use the
10:24:40 18
          Taser because that could become fire, it burns a
10:24:46 19
                    When not to shoot it, which area; for example,
          person.
10:24:50 20
          not in the face or anything like that.
10:24:54 21
                    Besides the firearm and the Taser, did you
10:24:58 22
          learn about anything else?
10:24:58 23
                    The baton, where -- if you have to use it,
              Α.
10:25:03 24
          there's areas that you don't want to use.
10:25:12 25
          handcuff, how to handcuff somebody in the proper --
```

```
1
10:25:17
          proper way.
10:25:18
               Ο.
                     Did you learn about any of Allied's policies?
                     I think so but I don't remember at this time.
10:25:27
      3
               Α.
10:25:36
      4
               Ο.
                     Did you learn about Allied's Use of Force
          Policy?
10:25:42
      5
10:25:42
      6
               Α.
                     Yes.
10:25:42
                     And you said the training was approximately
               Ο.
          one week?
10:25:48
      8
                     It was one week, approximately, yeah.
10:25:49
               Α.
                     And how do you define one week? Is that five
10:25:54 10
               Ο.
10:25:57 11
          days or seven days?
10:25:59 12
                     It was seven days because it was -- it was
               Α.
10:26:01 13
          even on the weekend, Saturday, Sunday. I remember
10:26:05 14
          that.
10:26:05 15
                     How many people were in that Elite training
               Ο.
10:26:12 16
          class?
                     Ten, if not more.
10:26:12 17
               Α.
10:26:16 18
                     Do you remember any of the names of the people
               Ο.
10:26:20 19
          that you went to training with?
10:26:21 20
               Α.
                     Yes.
                     Who do you remember?
10:26:22 21
               Q.
10:26:24 22
               Α.
                     One person. Siboldi.
10:26:35 23
                     Siboldi.
               Ο.
10:26:39 24
                     Siboldi, Sibolde, something like that.
               Α.
          Siboldi, Sibolde.
10:26:43 25
```

| | Г | | Ţ |
|----------|----|------------|---|
| 10:26:43 | 1 | Q. | Was that a first or a last name? |
| 10:26:44 | 2 | A. | I believe that's his last name. |
| 10:26:52 | 3 | Q. | Who was your training instructor? |
| 10:26:53 | 4 | Α. | Ramos. Ramo, Ramos. Something like that. |
| 10:27:02 | 5 | Q. | Do you know someone by the name of Monroe? |
| 10:27:06 | 6 | Α. | Yes, yeah. |
| 10:27:06 | 7 | Q. | Is that who you're referring to? |
| 10:27:07 | 8 | Α. | Yes, yeah. |
| 10:27:08 | 9 | Q. | As your training instructor? |
| 10:27:09 | 10 | Α. | Yes. It was the firearm instructor. |
| 10:27:15 | 11 | Q. | Was Monroe your only instructor? |
| 10:27:23 | 12 | Α. | It was we had yeah, it was the |
| 10:27:25 | 13 | instructo | r, yeah. |
| 10:27:25 | 14 | Q. | And turning back to your complaint which is |
| 10:27:37 | 15 | the docum | ent |
| 10:27:38 | 16 | Α. | Yes. |
| 10:27:38 | 17 | Q. | before you, starting at paragraph 43, can |
| 10:27:42 | 18 | you pleas | e read that paragraph to yourself and look up |
| 10:27:48 | 19 | when you | are finished. |
| 10:27:58 | 20 | Α. | Yes. |
| 10:27:58 | 21 | Q. | Was Patrick Freeney part of your Elite |
| 10:28:06 | 22 | training : | program? |
| 10:28:06 | 23 | Α. | Patrick trainee Patrick Freeney? What do |
| 10:28:11 | 24 | you mean i | by part of the Elite training program? Was he |
| 10:28:15 | 25 | in the cl | ass with me? Is that what you mean? |

| 10:28:17 1 | Q. Was he in the class with you? |
|-------------|--|
| 10:28:17 2 | A. No. He was just going back and forth, in and |
| 10:28:21 3 | out, in and out. He was not sitting in the class. |
| 10:28:26 4 | Q. Okay. So in paragraph 43 when it says, |
| 10:28:28 5 | "During this training, one of Allied Universal's |
| 10:28:30 6 | managers named Patrick Freeney repeatedly makes fun of |
| 10:28:34 7 | a Hispanic guard's accent" |
| 10:28:36 8 | A. Yes. |
| 10:28:36 9 | Q is that accurate for what is stated in |
| 10:28:38 10 | paragraph 43? |
| 10:28:39 11 | A. Yes. But he was not in the class. He comes, |
| 10:28:44 12 | say a couple of things and leave, come back and say a |
| 10:28:47 13 | couple of things and go and come. Not constantly like |
| 10:28:51 14 | us in the classroom. |
| 10:28:52 15 | Q. Okay. Who is Patrick Freeney? |
| 10:28:54 16 | A. I believe he was the account manager at the |
| 10:28:58 17 | time of the account I was working. |
| 10:28:58 18 | Q. Was he your direct supervisor? |
| 10:29:01 19 | A. He was the supervisor. |
| 10:29:04 20 | Q. Was that the first time you met Patrick? |
| 10:29:09 21 | A. That was the first time in the class. |
| 10:29:11 22 | Q. What day of training was it when you first met |
| 10:29:16 23 | him? |
| 10:29:16 24 | A. I don't remember. |
| 10:29:16 25 | Q. And who is the Hispanic guard that you're |

```
referring to in paragraph 43?
      1
10:29:23
10:29:25
      2
               Α.
                     I don't remember. But he was in the class
      3
          with us.
10:29:28
                     Can you describe what he looked like?
10:29:29
      4
               Ο.
                     It was a -- short, my height, gray -- a little
10:29:30
               Α.
10:29:41
      6
          bit gray hair with an accent on him.
               Ο.
                     Male?
10:29:46
10:29:50
      8
               Α.
                     A gentleman.
                     And when you say short, my height,
10:29:55
               Ο.
          approximately how tall are you?
10:29:59 10
                     5'6".
10:30:01 11
               Α.
10:30:04 12
                     And what specifically did Patrick Freeney say
               Ο.
10:30:07 13
          to him?
10:30:08 14
                     When somebody talks like, blah, blah, blah,
               Α.
          blah, blah, make noises and things like that when
10:30:12 15
          somebody speaks.
10:30:16 16
10:30:16 17
               0.
                     And Patrick did this in the training?
10:30:20 18
               Α.
                     Yes.
10:30:20 19
                     Were other people present at the time?
               Ο.
10:30:25 20
               Α.
                     Yes.
                     And is this something that you directly
10:30:27 21
               Ο.
10:30:30 22
          observed or just heard from someone else?
10:30:31 23
                     I was there.
               Α.
10:30:33 24
                     Was the instructor Monroe present?
               Ο.
10:30:39 25
                     At the time, I don't believe so.
               Α.
```

```
How many times did he allegedly make fun of
      1
10:30:42
               Ο.
          the --
10:30:52
      2
      3
10:30:52
                     One.
               Α.
10:30:53
      4
               Ο.
                     -- Hispanic guard?
                     One time.
10:30:53
      5
               Α.
                     When did this Hispanic quard quit?
10:30:54
      6
               Ο.
10:31:03
                     Don't remember.
               Α.
                     Was it during training?
10:31:06
      8
               Ο.
                     I don't remember.
10:31:08
               Α.
                     You testified that you personally observed
10:31:09 10
               Q.
          Patrick make fun of this guard, correct?
10:31:21 11
10:31:24 12
               Α.
                     Correct.
10:31:25 13
                     So why didn't you report it to someone at that
               Ο.
10:31:31 14
          time?
                     Because I didn't want to be involved in
10:31:31 15
               Α.
10:31:33 16
          anything.
10:31:33 17
               Ο.
                     Did you tell Monroe when he came back in the
10:31:44 18
          room?
10:31:44 19
                     No, I did not.
               Α.
10:31:45 20
                     Did anyone tell Monroe when he came back in
               Ο.
10:31:48 21
          the room?
                     I don't -- I don't know.
10:31:48 22
               Α.
                     If you could turn back to your complaint,
10:31:48 23
               Ο.
          which is still before you, and look at paragraph 44.
10:31:59 24
10:32:04 25
          Can you please read that paragraph to yourself and look
```

up when you're finished. 1 10:32:17 10:32:17 Α. Okay. Is it fair to say that the first sentence of 10:32:18 3 Ο. paragraph 44 says, "Patrick Freeney then tells the new 10:32:23 4 5 Kurdish quard that he must shave his beard"? 10:32:28 Kurdish quard? I'm the Kurdish quard. 10:32:32 6 10:32:35 7 But is that a fair and accurate reading of what is stated in the first sentence of paragraph 44? 10:32:37 8 He told me that. He didn't tell the Kurdish 10:32:40 Α. He told me that. 10:32:44 10 quard. 10:32:45 11 What specifically did he say to you? Q. 10:32:50 12 Α. He says, You need to shave your beard. 10:32:52 13 Was this in the training classroom? 0. 10:32:58 14 He pulled me to the side areas where we were Α. 10:33:02 15 sitting. He pointed at my beard and he said, You need to shave it. 10:33:05 16 10:33:06 17 0. When he pulled you to the side area, was it still in the training classroom? 10:33:09 18 10:33:12 19 Α. Close to the door. 10:33:13 20 But still withinside the training classroom? Ο. 10:33:18 21 Α. Yes. And others were still in the room? 10:33:19 22 Q. It was a -- it was kind of like in a break. 10:33:21 23 Α. Some of them were out, some of them were in, talking to 10:33:23 24 each other. 10:33:28 25

| - 1 | 7 |
|-----|---|
| | |
| | |

| 10:33:28] | Q. Was Monroe present? | |
|-------------|--|--|
| 10:33:29 2 | A. I don't remember. | |
| 10:33:29 | Q. And Patrick said you need to shave your beard? | |
| 10:33:42 | A. That's correct. | |
| 10:33:42 | Q. Was that the first time he said this to you? | |
| 10:33:47 | A. That is the first time. | |
| 10:33:49 | Q. And what day of training did this happen? | |
| 10:33:51 8 | A. I don't remember. | |
| 10:33:52 | Q. What did you understand him to mean when he | |
| 10:33:59 10 | asked you to shave your beard? | |
| 10:34:00 11 | A. I don't understand your question. | |
| 10:34:05 12 | Q. Let me try to rephrase for you. | |
| 10:34:07 13 | A. Okay. | |
| 10:34:08 14 | Q. When Patrick said you need to shave, how did | |
| 10:34:12 15 | you understand you need to shave? | |
| 10:34:13 16 | A. Get rid of it. | |
| 10:34:15 17 | Q. And when you say "get rid of it," does that | |
| 10:34:18 18 | mean like to your skin, or does that mean trimmed? How | |
| 10:34:22 19 | do you define "get rid of it"? | |
| 10:34:25 20 | A. Get rid of it means shave it all because it | |
| 10:34:29 2] | was already trim and clean and looked professional. | |
| 10:34:32 22 | Q. Did you ask Patrick to clarify what he meant | |
| 10:34:35 23 | by asking you to shave? | |
| 10:34:36 24 | A. It was clear as the sun. Shave it. Get rid | |
| 10:34:41 25 | of it. That's it. | |

```
Did Patrick have a beard?
      1
              Ο.
10:34:42
10:34:44
              Α.
                    I think he had a goatee. I think so.
                                                                 I'm not
      3
10:34:49
          too sure.
10:34:50
              Ο.
                    And what did you say in response to him?
                    I have it for religious purposes, my beliefs.
10:34:55
10:35:03
      6
          That's why I have my beard.
                    And to clarify "religious purposes," what
10:35:05
          religion do you practice?
10:35:09
      8
                    Islam.
10:35:10
              Α.
10:35:11 10
                    How many other people were in the classroom at
10:35:16 11
          that time? Do you remember?
10:35:18 12
              Α.
                    I don't remember, no.
10:35:18 13
                    You testified previously that there were maybe
              Ο.
10:35:23 14
          ten or more people in your training class, right?
10:35:26 15
              Α.
                    Approximately. But it was during a break, so
10:35:29 16
          people were in and out. Don't remember how many
10:35:32 17
          actually that were sitting because it was long hours of
10:35:35 18
          class, people wanted to use restroom, people wanted to
10:35:38 19
          call family, or somebody wanted to smoke or something.
10:35:41 20
          So how many in the room at the time? Don't remember.
10:35:43 21
              Ο.
                    Do you remember how many men were in that
10:35:46 22
          training class?
10:35:47 23
              Α.
                    Except -- everybody was men except one girl.
10:35:52 24
                    And of the men, how many other people had a --
              Ο.
10:36:01 25
          had a beard?
```

| - 1 | $\overline{}$ |
|-----|---------------|
| | |
| | |

```
1
               Α.
                     A couple.
10:36:01
10:36:04
      2
                     Do you remember their names?
               Ο.
                     Siboldi was one of them.
      3
10:36:05
               Α.
10:36:10
      4
               Ο.
                     Anyone else?
                     A couple of other guys. Don't remember their
10:36:12
               Α.
10:36:14
      6
          name.
                     When you say "couple," is that two, three
10:36:15
               Ο.
          people or more?
10:36:24
      8
                     Probably two to three, yeah.
10:36:24
               Α.
10:36:26 10
               Q.
                     Any more than three?
10:36:28 11
                     Maybe.
               Α.
10:36:29 12
                     Any more than four?
               Ο.
10:36:31 13
               Α.
                     Not too sure.
10:36:36 14
                     Are you aware if they had any accommodation on
               Ο.
          file?
10:36:39 15
                     Accommodation for what?
10:36:39 16
               Α.
10:36:42 17
                     To wear their beard.
               ο.
                     I don't think they had any accommodation or
10:36:43 18
               Α.
10:36:46 19
          anything like that.
10:36:47 20
                     Did you ever talk to them about their beards?
               0.
10:36:50 21
               Α.
                     I talked to them:
                                          Have you guys been told to
10:36:54 22
          shave your beard? That's the only one.
10:36:57 23
                     And who did you talk to about that?
               Ο.
10:36:58 24
                     Siboldi.
               Α.
10:37:11 25
                     At that time were you familiar with Allied's
               Ο.
```

```
Religious Accommodation Policy?
10:37:18
      1
10:37:21
      2
               Α.
                    No.
                    Did you report Patrick's comments at that
10:37:21
               Ο.
          time?
10:37:32
      4
                    Regarding of the beard?
10:37:32
      5
               Α.
10:37:34
      6
               Ο.
                    Yes.
10:37:35
                    Don't remember. I don't think so.
               Α.
10:37:35
      8
               Ο.
                    Why not?
                    Because I wanted to get back to class and
10:37:36
               Α.
          graduate and go back to real work.
10:37:44 10
10:37:54 11
                                       We've been testifying for
                          MR. SHINE:
10:37:57 12
          about an hour-ish. Do you need a break?
10:38:01 13
                                           If you want one.
                          THE WITNESS:
10:38:02 14
                                        I'm asking you if you need a
                          MR. SHINE:
10:38:03 15
          break.
                                           We can take one.
10:38:04 16
                          THE WITNESS:
10:38:05 17
                          MR. SHINE: Can we go off the record?
10:38:07 18
                          THE VIDEOGRAPHER:
                                                Off record at 10:37.
10:38:16 19
                          (Off the record 10:37 a.m. to 10:48 a.m.)
10:48:27 20
                          THE VIDEOGRAPHER:
                                                Back on the record at
          10:48.
10:48:34 21
10:48:37 22
                     (By Mr. Shine) Twana, I want to back up a
          little bit to go over a few things that you may have
10:48:40 23
          completed at the start of your employment with Allied.
10:48:43 24
10:48:46 25
                          After being hired or sometime during that
```

```
1
                     Could you turn to the next page which is
10:50:14
               Ο.
10:50:18
      2
          AUS 37.
10:50:19
      3
                     I see it, yes.
               Α.
10:50:20
      4
                     Is it fair to say at the top of the page it
          reads "Use of Force Policy Acknowledgment"?
10:50:23
      5
10:50:31
      6
          that accurately?
                     (No response).
10:50:31
               Α.
                     At the very top of the page. I believe you're
10:50:32
      8
               Ο.
10:50:34
      9
          looking at the wrong one.
                           This one? Okay. This page right here?
10:50:35 10
               Α.
                     Oh.
10:50:40 11
          Yeah.
10:50:41 12
                     So again, just for clarity of the record, it
               Ο.
10:50:44 13
          says Use of Force Policy Acknowledgment; is that
10:50:47 14
          correct?
10:50:47 15
               Α.
                     Yeah.
                     And in the middle of the page, would you agree
10:50:48 16
               Ο.
10:50:51 17
          that it outlines Allied Universal's Use of Force
10:50:55 18
          Policy?
10:50:55 19
                     As it says here, it's their Use of Force
               Α.
10:51:03 20
          Policy.
10:51:03 21
                     And inside the black box at the very bottom,
10:51:05 22
          there's a red checkmark and the word "signature."
          you see where I'm referring?
10:51:09 23
10:51:10 24
                     Yeah, I see that.
               Α.
10:51:11 25
                     What does it say under the checked box?
               Ο.
```

| 47 | |
|----|--|
|----|--|

| 10:51:13 | 1 | A. It says my name and the month and the date and |
|------------|---|---|
| 10:51:17 | 2 | the year and time. |
| 10:51:19 | 3 | Q. Okay. And what date and time is represented |
| 10:51:21 | 4 | there? |
| 10:51:21 | 5 | A. 12/15/2021, 3:04 p.m. |
| 10:51:31 | 6 | Q. And what does it say underneath your name and |
| 10:51:33 | 7 | the date and time? |
| 10:51:34 | 8 | A. The checked box? It's like signature checked |
| 10:51:46 | 9 | box mark. |
| 10:51:46 1 | 0 | Q. So specifically underneath your name, is there |
| 10:51:49 1 | 1 | additional text? |
| 10:51:50 1 | 2 | A. What do you mean "additional text"? |
| 10:51:54 1 | 3 | Q. Underneath your name, is it fair to say that |
| 10:51:56 1 | 4 | it reads, "Checking the checked box above is equivalent |
| 10:52:00 1 | 5 | to a handwritten signature"? Did I read that |
| 10:52:04 1 | 6 | correctly? |
| 10:52:04 1 | 7 | A. Yeah, I see that, yeah. Like if you check, it |
| 10:52:06 1 | 8 | means you agree to it. |
| 10:52:07 1 | 9 | Q. And is it fair to say that you completed this |
| 10:52:09 2 | 0 | form? |
| 10:52:10 2 | 1 | A. Well, we were not we were not gone through |
| 10:52:14 2 | 2 | the form. They just told us: Go through it, check. |
| 10:52:20 2 | 3 | Next check, next check, next check. Don't worry about |
| 10:52:24 2 | 4 | reading anything or anything like that. |
| 10:52:26 2 | 5 | Q. And so you just went along with it and checked |

```
off forms without reading them?
     1
10:52:28
10:52:29
      2
               Α.
                     That's what they -- that's what they told us
          and that's what we did.
10:52:31
      3
10:52:32
      4
                     I'm asking you personally. You just went
          along and checked off boxes without reading the
10:52:36
      5
          information?
10:52:38
      6
10:52:39
               Α.
                     Yes.
                     Okay. Looking at those numbers on the bottom
10:52:41
      8
               Ο.
          corner again --
10:52:49
     9
10:52:50 10
               Α.
                     Yes.
10:52:51 11
                     -- can you flip to AUS 40?
               Q.
10:52:54 12
               Α.
                     Do you mean Number 40?
10:53:00 13
               Ο.
                     Correct.
                     I see -- yeah, I'm on page 40.
10:53:01 14
               Α.
                     And there's a black box around text.
10:53:05 15
                                                                  Is that
               Ο.
10:53:10 16
          also fair to say?
10:53:11 17
                     Do you mean all the way on the bottom, like
          same as the other one?
10:53:14 18
10:53:15 19
                     Uh-huh.
               Ο.
10:53:16 20
               Α.
                     My name, yeah, I see that.
10:53:18 21
               Ο.
                     Okay. And is there a red checkmark next to
10:53:22 22
          your name?
10:53:22 23
               Α.
                            Same as the other page.
                     Yes.
10:53:24 24
                     And what does it say next to the red
          checkmark?
10:53:27 25
```

```
AUS 47.
      1
10:58:39
10:58:41
      2
               Α.
                     47?
                           Okay.
                     At the top of the page it says, "Employee's
      3
10:58:48
               Ο.
          Withholding Certificate." Did I read that correctly?
10:58:53
      4
10:58:57
      5
               Α.
                     Yes.
                     What do you understand this form to be?
10:58:57
      6
               Ο.
                     This is a tax, I believe for -- I think this
10:58:59
          is a tax form or something like that.
10:59:04
      8
                     Is this a form that you also completed?
10:59:06
               0.
10:59:08 10
               Α.
                     The tax form? I completed something like
10:59:11 11
          this, yes, tax form.
10:59:12 12
                     Is there a date and time also identified for
               Ο.
10:59:16 13
          when you completed this form?
10:59:18 14
                            It's all of the way in the bottom.
               Α.
                     And what date and time are listed?
10:59:22 15
               Ο.
                     12/15/21, 2:17.
10:59:24 16
               Α.
10:59:35 17
                     If you could turn to page AUS 53.
               Ο.
10:59:46 18
                     Okay.
               Α.
10:59:47 19
                     At the top of the page, it says, "Employee
               Ο.
          Handbook Receipt and Acknowledgment (SP). " Did I read
10:59:51 20
10:59:55 21
          that correctly?
11:00:04 22
               Δ
                     Yes. But I don't know what that means.
                                                                      51,
11:00:06 23
          correct.
11:00:06 24
                     53.
               Q.
11:00:08 25
               Α.
                     53?
                           This one, yeah.
```

```
At the top of the page it says, "Employee
11:00:17
      1
               Ο.
11:00:19
      2
          Handbook Receipt and Acknowledgment." Did I read that
      3
11:00:22
          correctly?
                     "SP" in the last?
11:00:22
      4
               Α.
                     Uh-huh.
11:00:25
      5
               Ο.
                     Yeah.
11:00:25
      6
               Α.
11:00:26
                     What do you understand this form to mean?
               Ο.
                     I don't understand it, like, what to be
11:00:32
      8
               Α.
          exactly.
11:00:36
      9
11:00:36 10
               Ο.
                     At the -- do you see the black box that goes
          around the text?
11:00:40 11
11:00:41 12
               Α.
                     T do.
11:00:41 13
                     The very first sentence says, "I certify and
               Ο.
11:00:46 14
          acknowledge the following."
11:00:49 15
                           Do you see where I'm referring to?
11:00:50 16
                     Right here?
               Α.
                                   Yeah.
11:00:52 17
                     Okay. And would you agree with me that there
               ο.
          are four bullet points inside of that --
11:00:55 18
                            There's four black dots.
11:00:58 19
               Α.
                     Box?
11:01:00 20
                     Bullet points.
               Ο.
11:01:02 21
               Α.
                     Dots, yeah.
11:01:03 22
               Q.
                     And the fourth one, it says, "I also
          acknowledge that I am expected to read, understand, and
11:01:07 23
          comply with the employee handbook and all company
11:01:10 24
11:01:12 25
          policies and procedures."
```

(By Mr. Shine) I'm handing you a copy of 11:10:00 1 Ο. 11:10:02 2 Allied's policy for detention and legal arrest as it's contained within its employee handbook. Have you seen 11:10:07 3 this or read this policy before? 11:10:12 I might but don't remember exactly. 11:10:14 Α. Twana, why would you sign and acknowledge that 11:10:20 Ο. 11:10:27 you had received the handbook if you didn't intend to read it? 11:10:30 8 Because when they give us something, they 11:10:31 Α. don't give us the opportunity to review the form 11:10:36 10 because they want us to be done with it fast as we 11:10:38 11 11:10:41 12 Like basically just check, check, hit next, 11:10:50 13 check, hit next, check, hit next, check, hit next. 11:10:53 14 But would you agree with me that you testified you had to enter information like your checking 11:10:56 15 11:10:59 16 account, your emergency contact information, your tax 11:11:05 17 withholding information? So you did actually have to do some additional work, right? 11:11:07 18 11:11:09 19 Α. The -- when it comes to that, yeah. We had to 11:11:12 20 fill up the bank account informations because that's 11:11:19 21 how I get my pay. So is it -- do you think that the policies 11:11:20 22 Q. don't apply to you because you didn't read them? 11:11:29 23 11:11:31 24 Α. The policy applies to everybody when you

are employed by the company.

11:11:35 25

```
So based on the policy that's before you, can
      1
11:11:39
               Ο.
          you read the first sentence of the policy? Can you
11:11:47
          read it out loud? It starts with "Security
11:11:58
      3
11:12:08
      4
          professionals."
                    This one? "Security professionals, as..."
11:12:08
               Α.
          This one?
11:12:10
      6
11:12:10
                    Uh-huh, the very first sentence.
                     I need to translate these words.
11:12:19
      8
               Α.
          understand them, these right here.
11:12:22
                    I will read it aloud, and please tell me if I
11:12:23 10
               Ο.
11:12:27 11
          read it correctly.
11:12:28 12
               Α.
                    Okay.
11:12:28 13
                     "Security professionals, as a result of their
               Ο.
          position, have no elevated legal duty or authority to
11:12:32 14
          arrest a subject."
11:12:37 15
                          Did I read that correctly?
11:12:44 16
11:12:46 17
               Α.
                    What do you mean by "subject"? A person?
11:12:51 18
                    I'm just asking if I read the words correctly
               Ο.
11:12:54 19
          off the policy.
11:12:55 20
               Α.
                    Yeah.
11:12:55 21
               Ο.
                    And based on your understanding as a security
11:13:06 22
          guard for Allied, you weren't a police officer,
          correct?
11:13:09 23
11:13:09 24
               Α.
                    That is correct.
11:13:11 25
                    Were you considered what they sometimes refer
               Ο.
```

```
Α.
                    Yeah.
11:17:43
      1
11:17:44
      2
               Ο.
                    And there are two bullet points underneath
          that, correct?
11:17:46
      3
11:17:51
               Α.
                    Two dots, yes.
                    The last bullet point says, "Where mustaches
11:17:53
               Ο.
          and/or beards may be permitted under customer
11:17:58
      6
11:18:03
          standards, such facial hair must be neatly trimmed and
          conform to the contours of the face."
11:18:08
      8
                          Did I read that correctly?
11:18:12
11:18:13 10
               Α.
                    Yes.
11:18:13 11
                    It further says, "Exceptions may be made for
          medical or religious reasons as a reasonable
11:18:19 12
11:18:24 13
          accommodation."
11:18:25 14
                          Did I also read that correctly?
11:18:25 15
               Α.
                    Yes.
                    Based on this policy, would you agree with me
11:18:26 16
11:18:30 17
          that Allied allows employees to have facial hair,
          including a beard?
11:18:33 18
11:18:34 19
               Α.
                    That's not what I was told, though.
11:18:36 20
                    The question is: Based on this policy, would
               Ο.
11:18:40 21
          you agree with me that Allied allows its employees to
          have facial hair, including beards?
11:18:43 22
                    Based of what I see here, that's a yes.
11:18:46 23
               Α.
11:19:24 24
                          (Exhibit No. 10 marked.)
11:19:24 25
                                       Twana, I'm handing you a copy
               Ο.
                     (By Mr. Shine)
```

CONTINENTAL COURT REPORTERS, INC.- HOUSTON (713) 522-5080

```
1
          issued"?
11:20:54
11:20:56
      2
               Α.
                    Yes.
                    In the center of the policy there are four
11:20:56
      3
               ο.
          bullet points. Do you see where I am referring to?
11:21:00
      4
                    Yes, the one with the little dots, correct.
11:21:02
      5
                    The very first dot says, "ID cards, if
11:21:04
      6
11:21:08
          assigned, must be carried at all times while working."
                          Did I read that correctly?
11:21:11
      8
                    That is correct.
11:21:12
               Α.
11:21:13 10
               Ο.
                    Would you agree with me that it says "if
          issued"?
11:21:15 11
                           And the -- what's it called?
11:21:19 12
              Α.
                    Yes.
11:21:24 13
          position I was in, it was within their policy to have
11:21:29 14
          one.
11:21:30 15
                            I'm speaking about this particular
          policy. Would you agree that the first bullet point
11:21:33 16
11:21:38 17
          says, "ID cards, if issued, must be carried at all
          times while working"?
11:21:45 18
11:21:48 19
                    Yeah. Yes, yes, of course.
               Α.
11:21:51 20
                    Were you issued an ID badge?
               0.
11:21:53 21
               Α.
                    No, I was not.
                          (Exhibit No. 11 marked.)
11:22:09 22
                    (By Mr. Shine) Twana, I'm handing you a copy
11:22:09 23
               Ο.
          of a signed acknowledgment that you agreed that you
11:22:12 24
11:22:14 25
          received an ID badge, which is labeled as AUS 665.
```

```
the bottom of the page there's a signature and printed
      1
11:22:24
11:22:27
      2
          name.
                  Is that your handwriting?
                     That is.
11:22:29
      3
               Α.
                     Is there a date attached to that form?
11:22:29
      4
               Ο.
                     12/15/21.
11:22:31
               Α.
                     And it's fair to say that you completed
11:22:34
      6
               Ο.
11:22:41
          this -- this form?
                     I signed it and dated it.
11:22:41
      8
               Α.
                     And the first bullet point says, "I was issued
11:22:43
               Ο.
          an ID badge by the local Allied Universal branch
11:22:49 10
          office"; is that correct?
11:22:53 11
11:22:55 12
               Α.
                     That's correct.
11:22:56 13
                     And so were you issued an ID badge?
               Ο.
11:22:58 14
               Α.
                     No, I was not.
11:23:00 15
                     But you signed a form saying that you did?
               Ο.
                     They told us to sign it.
11:23:05 16
               Α.
11:23:07 17
                     And so your testimony is that you just signed
               ο.
11:23:09 18
          a document because somebody told you to sign it?
11:23:12 19
                          MS. HERNANDEZ: Objection; argumentative.
11:23:15 20
                          You can answer.
                     They told us to sign it, the person in the
11:23:16 21
               Α.
11:23:19 22
          class.
11:23:20 23
                     (By Mr. Shine) And who was that person?
               Ο.
11:23:24 24
                     He was in the class walking through us --
               Α.
11:23:29 25
          walking us through the paperwork.
```

```
1
               Ο.
                     And who was that person?
11:23:31
11:23:32
                     It was a couple of people. I remember just
      3
          one of them. It was a tall, black lady, light skin
11:23:38
          with short hair.
11:23:46
      4
                     Is this the same person that you were
11:23:47
11:23:49
      6
          referring to with the -- excuse me -- the forms
11:23:53
          earlier?
               Α.
11:23:53
      8
                     Same person.
                     Did you ever bring to Allied's attention that
11:23:54
               Ο.
          you didn't receive an ID badge?
11:24:04 10
11:24:06 11
               Α.
                     Yes.
11:24:07 12
                     Who did you tell?
               Ο.
11:24:07 13
                     The account manager.
               Α.
11:24:10 14
                     And who is that?
               Ο.
11:24:14 15
                     Mr. Freeney.
               Α.
                           THE REPORTER: Say it again.
11:24:14 16
11:24:14 17
               Α.
                     Mr. Freeney.
11:24:17 18
                     (By Mr. Shine) When you say "Mr. Freeney," is
               Ο.
11:24:19 19
          that Patrick Freeney?
11:24:21 20
                     That's correct.
               Α.
                     When did you tell him?
11:24:21 21
               Q.
11:24:23 22
               Α.
                     Multiple -- a couple of times. Two, three
11:24:31 23
          times.
11:24:31 24
                     When was the first time?
               Q.
                     When I was in the office, I talked to him
11:24:32 25
               Α.
```

```
about it because I was missing a lot of equipments and
      1
11:24:41
      2
          never got issued one.
11:24:48
                    So what date was that?
11:24:49
      3
               Ο.
                    Don't remember the exact date.
11:24:52
               Α.
                    And you said when you were in the office.
11:24:54
          What office are you talking about?
11:25:02
      6
11:25:04
                    Allied Universal office.
                    And you said you told Patrick Freeney two to
11:25:08
      8
               Ο.
          three times that you didn't have an ID badge, right?
11:25:17
11:25:20 10
               Α.
                    Correct.
                    When was the second time you told him?
11:25:22 11
               Q.
11:25:24 12
               Α.
                    Not too long after that. And I told one of
          the supervisors too in the field.
11:25:30 13
11:25:33 14
                    When you say not too long after that,
11:25:36 15
          approximately when was that?
                    Maybe two, three -- two weeks. Two weeks.
11:25:41 16
               Α.
11:25:49 17
          Close to that.
11:25:50 18
               Ο.
                    Two weeks after what?
                                               Training?
11:25:55 19
                    Training.
               Α.
11:25:57 20
                    And by "training," do you mean the Elite
               Ο.
          training?
11:26:03 21
11:26:03 22
               Α.
                    Yes.
                    When was the third time that you told Patrick
11:26:03 23
               Ο.
          Freeney that you didn't have an ID badge?
11:26:10 24
11:26:13 25
                    Can't recall that, exact when.
               Α.
```

```
after -- let's see if I can try to remember. I don't
      1
11:26:30
11:26:41
      2
          remember after how long.
                    You also testified that you told a supervisor.
11:26:42
      3
              Ο.
          Who did you tell?
11:26:47
      4
                    The supervisor who came to the scene to issue
11:26:49
      5
11:26:57
      6
                      They came to the property I was working in,
11:27:01
          and I told them I don't have an ID card the same as the
          one you have on, I never got issued one. And there was
11:27:06
      8
          basically no response regarding of that. Like you will
11:27:16
          get one or something like that.
11:27:22 10
11:27:23 11
                    What was that supervisor's name?
              Q.
11:27:25 12
              Α.
                    Morris -- I don't know how to say his name
11:27:43 13
                        Morris, Maurice, or something like that.
          very well.
                    Is that a male?
11:27:47 14
              Ο.
                           Hispanic male.
11:27:49 15
                    Yes.
              Α.
                    Was Maurice his first or last name?
11:27:53 16
              Ο.
11:27:57 17
              Α.
                    I don't know.
11:28:02 18
                    And when did you tell him you didn't have an
              Ο.
11:28:05 19
          ID badge?
11:28:05 20
                    When he came to the scene of the -- me
              Α.
11:28:08 21
          working.
11:28:08 22
              0.
                    And when was that?
                    I don't remember the exact time but -- I don't
11:28:09 23
              Α.
          remember the exact date or the month, but I remember it
11:28:15 24
11:28:17 25
                               Approximately the time was between
          was during winter.
```

```
7:00 to 8:30 at night.
11:28:23
      1
11:28:26
      2
                    And when you say he came to the field, where
11:28:31
      3
          were you?
11:28:32
              Α.
                    I was at H-E-B.
                    Which store?
11:28:33
               Ο.
                    San Felipe, by the drive-through, by the
11:28:33
      6
          pharmacy area. I was -- I remember I was parked in a
11:28:39
          fire lane too, like an area he wants -- he said to meet
11:28:47
      8
          me there, and I met him there.
11:28:50
      9
                    Was anyone else working with you at that time?
11:28:52 10
              Q.
11:28:55 11
                    It was just me.
              Α.
11:29:15 12
                          (Exhibit No. 12 marked.)
11:29:15 13
                    (By Mr. Shine) And returning to the employee
              0.
11:29:22 14
          handbook policies and procedures just briefly, Twana.
11:29:22 15
              Α.
                    Yes.
                    I'm handing you a copy of Allied's Religious
11:29:25 16
11:29:27 17
          Accommodations policy as it's contained in the employee
11:29:31 18
          handbook. Are you familiar with this policy?
11:29:34 19
                    I can't recall this policy.
              Α.
11:29:41 20
                    Again, why would you sign and acknowledge an
11:29:43 21
          agreement to read and understand the handbook policies
11:29:46 22
          if you didn't read it?
                    They told us to just check next, check next,
11:29:47 23
              Α.
11:29:53 24
          check next.
11:29:53 25
                    Does that mean the policy doesn't apply to
               Ο.
```

```
1
11:29:55
          you?
11:29:56
               Α.
                     They told us to do what we were supposed to
          do, and I did what I was supposed to do or what I was
11:30:01
      3
          told to do.
11:30:04
      4
                     Would you agree that this policy was
11:30:05
11:30:08
      6
          applicable to you?
11:30:09
                     What do you mean by "applicable"?
                     That it was an available policy for you to
11:30:11
      8
               Ο.
11:30:13
      9
          use.
                     I was not aware of this policy or anything
11:30:13 10
               Α.
          like that because they told us hit the checkmark, go to
11:30:15 11
11:30:21 12
          the next, hit the checkmark, to the next.
                                                             There was
11:30:26 13
          never opportunity to review any documents.
11:30:43 14
                     If you could go back to what was marked as
11:30:45 15
          Exhibit No. 7, which is the big printed policy
11:30:47 16
          document.
11:30:47 17
               Α.
                     Okay.
11:30:47 18
                     And turn to page AUS 53. Are you there on
               Ο.
          page 53?
11:31:11 19
11:31:12 20
               Α.
                     I am on page 53.
                     Again, this is the employee handbook Receipt
11:31:15 21
               Ο.
11:31:19 22
          and Acknowledgment form, correct?
11:31:21 23
                            SP? That one?
               Α.
                     Yes.
11:31:26 24
               Ο.
                     Correct.
                     This one?
11:31:27 25
               Α.
```

| 11:32:37 1 | Did I read that correctly? |
|-------------|---|
| 11:32:38 2 | A. Yes. |
| 11:32:38 3 | Q. So would you agree with me that by signing |
| 11:32:42 4 | this form, you agreed to review and read the employee |
| 11:32:45 5 | handbook? |
| 11:32:46 б | A. They told us to sign it and go through it. |
| 11:32:51 7 | Q. Do you see the link above the signature box |
| 11:32:57 8 | that says, "Please use this link to view the employee |
| 11:33:01 9 | handbook"? |
| 11:33:05 10 | A. Yes, I see that, the one with the blue |
| 11:33:07 11 | writing, correct. |
| 11:33:08 12 | Q. Did you ever click on that? |
| 11:33:09 13 | A. I don't remember. |
| 11:33:10 14 | Q. During your employment with Allied, did you |
| 11:33:16 15 | ever click on that? |
| 11:33:16 16 | A. I can't recall that. |
| 11:33:19 17 | Q. Turning back to the Religious Accommodation |
| 11:33:29 18 | policy, which was identified as Number 12 and labeled |
| 11:33:32 19 | as AUS 172. Based on this policy, Twana, would you |
| 11:33:44 20 | agree that Allied Universal allows religious |
| 11:33:48 21 | accommodations? |
| 11:33:49 22 | A. According to this, what I see, yes. But we |
| 11:33:52 23 | never got told that. |
| 11:33:55 24 | Q. Again, because it was in a handbook you never |
| 11:33:58 25 | read? |

| 11:33:59 1 | MS. HERNANDEZ: Objection; argumentative. |
|-------------|--|
| 11:34:03 2 | You can answer. |
| 11:34:05 3 | A. They never gave us the opportunity to read it. |
| 11:34:11 4 | Q. (By Mr. Shine) And you never asked any |
| 11:34:16 5 | questions about it? |
| 11:34:17 б | A. At that time of the class, no of hiring |
| 11:34:28 7 | event. Sorry. |
| 11:34:40 8 | Q. You previously testified, Twana, that you |
| 11:34:43 9 | practice the Muslim religion; is that correct? |
| 11:34:47 10 | A. That is correct, yeah. |
| 11:34:48 11 | Q. And as part of your practice, are you required |
| 11:34:50 12 | to wear or maintain a beard? |
| 11:34:52 13 | A. Yes. |
| 11:34:52 14 | Q. Are there any times that you might shave or |
| 11:34:56 15 | otherwise grow it longer? |
| 11:34:58 16 | A. Have a beard, that's the requirement. |
| 11:35:07 17 | Q. Okay. |
| 11:35:08 18 | A. Shave shaving, it's not it's part of the |
| 11:35:15 19 | religion to have a beard. |
| 11:35:20 20 | Q. When you first told Patrick Freeney that you |
| 11:35:27 21 | kept a beard for religious purposes, was this around |
| 11:35:35 22 | Ramadan or some other observed holiday in your |
| 11:35:38 23 | religion? |
| 11:35:39 24 | A. Don't remember but Ramadan is it's a has |
| 11:35:47 25 | nothing to do with a beard. It's a month of fast |

```
fasten -- fasting.
11:35:57
      1
11:35:58
              Ο.
                    Fasting?
11:36:00
              Α.
                    Fasting.
                    Okay. Can you explain what the religion
11:36:01
          requires for a beard?
11:36:12
     5
                    The religion require -- like, required for a
11:36:14
          beard, to grow your beard. And doesn't -- doesn't --
11:36:22
          how should I try to say? Doesn't bother -- or it's not
11:36:30
     8
          bother. Like, go down too much on your mouth, cover
11:36:36
      9
          your mouth, and things like that. Like, I don't want
11:36:41 10
          to -- it's not bother. I don't know how to say it
11:36:47 11
11:36:50 12
                  It's like being involved with the food you eat,
11:36:55 13
          like touch the food that you eat, like disturb the food
11:36:58 14
          that you eat or something like that.
                    And you're saying it's not supposed to?
11:37:00 15
                    It's not supposed to. Like, keep it not like
11:37:02 16
              Α.
11:37:06 17
          to bother the food or something. Like, keep it clean.
11:37:13 18
              Ο.
                    Okay. How long was your beard whenever
11:37:16 19
          Patrick asked you to shave it?
11:37:17 20
                    It was this -- like this (indicating).
              Α.
          not like here or here. It was like here.
11:37:26 21
11:37:33 22
              Q.
                    So by the way you're gesturing, is it a little
          longer than what you have now?
11:37:36 23
11:37:37 24
              Α.
                    It could be, yeah.
11:37:40 25
                    Was it shorter than what you're wearing right
              Ο.
```

| 11:39:27 1 | to do this and do that because the time difference and |
|-------------|--|
| 11:39:32 2 | things like that. |
| 11:39:32 3 | Q. Okay. Do you know when Ramadan was in 2022? |
| 11:39:39 4 | A. Don't remember when exactly. |
| 11:39:42 5 | Q. How long have you been a practicing Muslim? |
| 11:39:48 6 | A. Since I was born. That's my that's my |
| 11:39:53 7 | that's my religious, yeah. |
| 11:39:58 8 | Q. Okay. And other than keeping a beard, do you |
| 11:40:03 9 | observe other practices of the Muslim religion? |
| 11:40:07 10 | A. Can you explain the question more? |
| 11:40:13 11 | Q. Sure. Let me try to rephrase. |
| 11:40:15 12 | A. Okay. |
| 11:40:16 13 | Q. So besides wearing a beard, do you do anything |
| 11:40:18 14 | else to practice your religion? |
| 11:40:21 15 | A. Of course. There's a lot of stuff you have to |
| 11:40:26 16 | practice. And some of them, it's like helping part |
| 11:40:33 17 | of your religion to help people in need. Pray. |
| 11:40:43 18 | Q. What do you specifically do to practice your |
| 11:40:46 19 | religion, besides wearing a beard? |
| 11:40:49 20 | A. Listen to Quran. I don't know if you know |
| 11:40:57 21 | that. Like, Quran, listen to it. |
| 11:40:59 22 | Q. That's your religious text, correct? |
| 11:41:02 23 | A. What does it mean by "text"? |
| 11:41:04 24 | Q. Like a like a book? |
| 11:41:05 25 | A. It's like in Christianity, they call it Bible. |

```
11:41:12
              Ο.
                    Okay.
11:41:12
              Α.
                    In Islam they call it Quran. And Jewish
          religion it's Torah.
11:41:17
11:41:18
      4
              Ο.
                    So you listen to the Quran?
11:41:22
              Α.
                    Yes.
                    What else do you do to practice your religion?
11:41:22
              Ο.
11:41:25
                    Help people in need when I'm able to.
          doesn't matter -- it doesn't have to be financial need.
11:41:34
      8
          It could be somebody who could be sick, that needed
11:41:38
                  If you are able to help them, you can help them
11:41:44 10
          help.
11:41:48 11
          with anything that you are capable of.
11:41:50 12
              Ο.
                    Do you also participate in the prayer?
11:41:58 13
                    Yes. But I don't go to masjid or -- or mosque
              Α.
          or anything like that.
11:42:09 14
11:42:10 15
                    And why not?
              Ο.
11:42:11 16
                    I just -- it's like basically if you pray at
11:42:13 17
          home, it's the same as mosque; it's you and your God.
          If you pray here, it's the same as mosque; it's you and
11:42:18 18
11:42:24 19
                      It's like between you and your God.
          your God.
11:42:26 20
          will accept it at the house, He accept it at the
11:42:30 21
                    If He accept it at the mosque, accept it at
11:42:34 22
          the house.
                       It's the same thing.
11:42:35 23
              Ο.
                    Okay.
11:42:36 24
                    The mosques are different here than from
              Α.
11:42:38 25
                      Overseas, they have imam.
          overseas.
                                                     Here they have
```

```
imam, but over there it will be -- they read the Quran
      1
11:42:41
11:42:43
      2
          to you, they interpret the Quran to you in Arabic.
          It's an Arabic Quran, but they interpret it to you the
11:42:49
      3
          way it is.
11:42:52
      4
                          Over here it's -- the Ouran, is in
11:42:54
          Arabic, but some copies in English.
11:42:56
      6
11:42:59
          translate it, let's say, from Arabic to English, it's
          not the same way it sounds in Arabic. So when I listen
11:43:02
      8
          to it in Arabic, let's say, somebody, like, in the
11:43:06
      9
          Internets reads it and I listen to it, I understand it
11:43:13 10
11:43:19 11
          more clearly and will feel more comfortable and relaxed
11:43:24 12
          and relieves me when I hear -- when I hear it.
11:43:29 13
                            In looking further at your complaint,
                    Okay.
              Ο.
11:43:38 14
          Twana --
11:43:39 15
              Α.
                    Yes.
                    -- after Patrick asked to you shave your
11:43:40 16
11:43:45 17
          beard --
11:43:46 18
              Α.
                    Yes.
11:43:46 19
                    -- your complaint said a few weeks later that
              Ο.
          a supervisor also asked you to shave; is that right?
11:43:50 20
11:43:53 21
              Δ
                    Yes.
                    What do you mean by "a few weeks"?
11:43:53 22
              Q.
                    When I was at the field, after that, they have
11:43:59 23
              Α.
          to issue equipments to me because I was missing
11:44:06 24
          equipments because I was just carrying the firearm that
11:44:09 25
```

was issued to me. That's all. One of their -- part of 11:44:13 1 their equipments was the Taser. I was not issued one. 11:44:16 2 The supervisor came to the scene and issued me a 11:44:22 3 11:44:25 4 nonoperational Taser. What date was that? 11:44:27 I don't remember. But I remember it was 11:44:28 11:44:32 during winter because it was cold. I didn't have -the reason I remember it was winter because I was cold 11:44:35 8 and freezing and never got issued Allied uniform 11:44:38 jackets. And I asked for one from the supervisor, and 11:44:44 10 11:44:47 11 the supervisor told me they don't have any. And when 11:44:55 12 he opened his trunk to give me the Taser, I clearly saw 11:45:03 13 in front of me jackets. I don't know, they call them 11:45:06 14 beanies. 11:45:06 15 Ο. Okay. The one for winter, the black one that says 11:45:06 16 11:45:09 17 "Allied," he had some of those and they never issued me 11:45:13 18 one. 11:45:13 19 When you say it was winter and cold -- I'm Ο. 11:45:15 20 from Chicago so I don't know what it gets like here --11:45:19 21 what type of temperature are we talking about? 11:45:21 22 Α. Houston gets cold. 11:45:22 23 Sure. So what do you recall on this date? Ο. 11:45:29 24 Α. All I know it's winter and cold. 11:45:31 25 What was the supervisor's name? Ο.

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| [| |
|-------------|---|
| 11:45:34 1 | A. Mauroso, Mauricio, something like that. |
| 11:45:39 2 | Mauricio. I don't remember his name exactly. |
| 11:45:40 3 | Q. Is this the same Hispanic supervisor |
| 11:45:43 4 | A. That's correct. |
| 11:45:43 5 | Q you talked about earlier? |
| 11:45:44 6 | A. That's correct. |
| 11:45:45 7 | Q. And he met you in the field? |
| 11:45:52 8 | A. That is correct. |
| 11:45:53 9 | Q. And remind me where he met you. |
| 11:45:56 10 | A. H-E-B site on San Felipe Street. It was |
| 11:46:09 11 | approximately, time-wise, from 6:30 to 7:00 to 8:00. |
| 11:46:14 12 | Somewhere between those couple of hours, three hours. |
| 11:46:21 13 | It was nighttime because I remember the sun was not out |
| 11:46:24 14 | and the sun was, like, gone, I think, and it was |
| 11:46:28 15 | cold. |
| 11:46:28 16 | Q. Did the supervisor also have a beard? |
| 11:46:40 17 | A. He did have one, yes. |
| 11:46:42 18 | Q. How long was his beard? |
| 11:46:43 19 | A. I don't remember. |
| 11:46:43 20 | Q. Was it shorter or longer than yours? |
| 11:46:49 21 | A. I think a little bit shorter. I'm not sure. |
| 11:47:06 22 | Q. Do you know if he if he had a religious |
| 11:47:11 23 | accommodation? |
| 11:47:11 24 | A. Oh, I never asked him that. I don't think |
| 11:47:16 25 | so I asked him that. |

| Q. Do you know if he had any accommodation for |
|--|
| wearing his beard? |
| A. I never asked him that. |
| Q. But you claim he asked you to shave your |
| beard? |
| A. Yes. |
| Q. How did you understand what he meant by shave |
| your beard? |
| A. He he told me twice to shave my beard. |
| Shave it. Like shave it off. |
| Q. He didn't ask you to shave it like his, just |
| trim it down? |
| A. No. Trim it down is trim it and all that. |
| And my beard was completely trimmed and clean, lined |
| up, clean, everything clean, looking perfect, sharp. |
| Q. And so your testimony is that you shaved down |
| to the skin? You had no facial hair? |
| A. I shaved. Down to the skin, I don't remember. |
| But I did shave. I had to shave. |
| Q. And when did you do that? |
| A. Not not long after that. |
| Q. What does "not long" mean? An hour? |
| A. No. |
| Q. A day? |
| A. Less than a week or a week. And I started, |
| |

like, wearing the face mask.

1

11:48:49

11:49:45 13

11:49:50 14

11:49:53 15

11:49:57 16

11:50:00 17

11:50:05 18

11:50:06 19

11:50:13 20

11:50:15 21

11:50:19 22

11:50:24 23

11:50:27 24

11:49:03 Ο. When the supervisor asked you to shave, how did you respond? 11:49:07 3 I told him I had a beard for a long time and 11:49:08 4 it's part of my belief to have one. He goes, like, but 11:49:13 that's policy of the company. You're not -- they don't 11:49:20 6 11:49:24 want you to have beard. I did not argue. I did not say anything. 11:49:26 8 I was like, okay, I understand. 11:49:29 At that time, Twana, if it was part of your 11:49:31 10 Ο. 11:49:40 11 religion, why didn't you refuse to shave? 11:49:43 12 Α. Sorry?

- Q. At that time, as you say it was part of your religion, why did you not refuse to shave?
- A. I needed the job to take care of my family, and I needed the money to take care of my family and myself. I had to do what I had to do to keep my family fed and myself.
- Q. And did you report the supervisor asking you to shave your beard to anyone?
- A. I couldn't report it to anyone because if I report it to the account manager -- I'm pretty sure it came from the account manager. So I couldn't report it to anyone.
- 11:50:30 25 Q. Do you remember when we were talking about the

```
1
          company's harassment and discrimination policy?
11:50:32
11:50:35
      2
              Α.
                    Yes, you talked about it.
                    And you agreed with me at that time that an
11:50:37
      3
              Ο.
          employee has multiple ways it can report harassment and
11:50:41
      4
          discrimination, right?
11:50:46
      5
                    You said that, yes.
11:50:46
11:50:48
                    But you still chose not to report it to
              Ο.
          anyone?
11:50:50
      8
                    Well, just like I said, they didn't give us
11:50:50
              Α.
          the opportunity to view the documents or go through the
11:50:56 10
11:50:59 11
          documents, or they gave us, let's say, a specific card
11:51:03 12
          that said, hey, if something goes wrong with you in the
11:51:06 13
          company, contact this number or anything like that.
                          Everything they give us: Hit checkmark,
11:51:10 14
11:51:14 15
          hit next, hit checkmark, hit next, hit checkmark and go
11:51:17 16
          hit next. Basically like go through it -- like, run
11:51:22 17
          through it fast as we could -- fast as you can because
          we don't have enough time.
11:51:24 18
11:51:27 19
                    But that doesn't mean that the policies don't
              Ο.
11:51:30 20
          apply to you, right?
                    The policy applies to everyone.
11:51:31 21
              Α.
11:51:38 22
              Q.
                    So you would agree that whether you read it or
          not, the policy applies to you at that time?
11:51:41 23
11:51:44 24
              Α.
                    I was not aware of the policy. So I had to do
```

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whatever they told me to do because I was employed by

11:51:51 25

```
them at the time and I have to listen to what the
11:51:53
      1
11:51:57
      2
          supervisor says because the supervisor is above me.
          And whatever he says, the supervisor, I will do because
11:52:00
      3
          how would I know if the supervisor just made that up?
11:52:05
      4
          I'm pretty sure I have to listen to him.
11:52:08
      5
                    If you would have read the policy, you would
11:52:13
11:52:16
          have known if he had made it up, right?
                    Well, they don't let us read the policy.
11:52:19
      8
              Α.
                          (Exhibit No. 13 marked.)
11:52:57
                    (By Mr. Shine) Twana, you're being handed a
11:52:57 10
              Ο.
11:52:59 11
          photo that you provided in discovery. It's labeled
11:53:04 12
          AhmedAllied 590. Have you seen this photo before?
11:53:09 13
              Α.
                    Yes, of course.
11:53:09 14
                    Who is in this photo?
              Ο.
11:53:11 15
              Α.
                    It's me.
11:53:11 16
                    And who is next to you?
              Ο.
11:53:13 17
              Α.
                    The instructor.
11:53:14 18
                    Do you recall his name?
              Ο.
11:53:17 19
                    Mauro -- Monroe.
                                         Mauro.
              Α.
                                                  Monroe.
11:53:22 20
                    Monroe?
              Ο.
11:53:24 21
              Α.
                    Monroe.
11:53:25 22
              Q.
                    Okay. And you said he was your instructor?
11:53:27 23
                    He was the firearm instructor, Taser
              Α.
          instructor, baton instructor. Like the instructor for
11:53:31 24
11:53:34 25
          the company.
```

```
When was this photo taken?
      1
11:53:35
               Ο.
11:53:38
               Α.
                     During the training, the -- I believe the last
          day -- the last days of the training. It could be the
      3
11:53:44
          last -- one of the last, last day or one day before the
11:53:49
      4
11:53:53
      5
          last day.
                             Where was this photograph taken?
11:53:53
               Ο.
                     At the office.
11:53:56
                     When you say "the office," which office are
11:53:57
      8
               Ο.
          you referring to?
11:54:00
      9
                     On 45.
11:54:01 10
               Α.
                     That's the Allied office?
11:54:02 11
               Q.
11:54:05 12
               Α.
                     Correct.
11:54:06 13
                     Do you know who took this photo?
               Ο.
                     I'm not too sure but I think, if I'm not --
11:54:11 14
               Α.
          Siboldi -- Siboldi. I think so. I'm not too sure.
11:54:27 15
                     Does this photo represent what your beard
11:54:33 16
               Ο.
          looked like at the time you were in training?
11:54:40 17
11:54:42 18
               Α.
                     I didn't understand your question.
11:54:49 19
          what --
11:54:49 20
                             Let me try to rephrase.
               Ο.
                     Sure.
11:54:51 21
               Α.
                     Okay.
                             Thank you.
11:54:52 22
               Q.
                     In this picture it's fair to say you have a
11:54:55 23
          beard, right?
11:54:56 24
                     Correct, yeah.
               Α.
11:54:56 25
                     And you said this was during training?
               Ο.
```

```
Yes.
      1
               Α.
11:54:58
               0.
                     Did your beard ever get shorter or longer than
11:54:58
      3
          this?
11:55:02
11:55:02
      4
               Α.
                     It never got longer -- longer than that.
11:55:08
               Ο.
                     Okay.
                           (Exhibit No. 14 marked.)
11:55:22
      6
                     (By Mr. Shine) Twana, you're being handed
11:55:22
          another photograph labeled AUS 1804. Have you seen
11:55:24
      8
          this photo before?
11:55:31
      9
                     I don't think so.
11:55:32 10
               Α.
11:55:33 11
                     Do you recognize who's in the photograph?
               Q.
11:55:36 12
               Α.
                     It's me.
11:55:37 13
                     Do you recognize where the photo was taken?
               Ο.
11:55:42 14
               Α.
                     Yes.
11:55:44 15
                     And where was that?
               Ο.
                     That's the field -- the field training area
11:55:45 16
               Α.
11:55:49 17
          that I told you earlier.
11:55:49 18
               Q.
                     Okay. And again, that's you in the
11:55:53 19
          photograph?
11:55:54 20
                     That is correct.
               Α.
11:55:55 21
               Q.
                     Fair to say that you also have a beard in that
11:55:58 22
          picture?
                            That was during training, yes.
11:55:58 23
               Α.
                     Yes.
                     You said this was during training.
11:56:01 24
               Ο.
                                                                Is that
11:56:06 25
          the Elite training that you referred to?
```

```
1
              Α.
                    That is correct, yeah.
11:56:08
11:56:10
      2
                    And at the time that you were hired with
              Ο.
          Allied, was your beard ever longer than that?
      3
11:56:13
                    Don't remember.
11:56:17
              Α.
                    At the time that you were hired, was your
11:56:21
          beard shorter than that?
11:56:24
      6
                    Don't remember exactly.
11:56:30
                    Is this what your beard looked like when
11:56:34
      8
              Ο.
          Patrick Freeney told you that you needed to shave?
11:56:39
      9
11:56:44 10
              Α.
                    Yes.
11:56:44 11
                    And is this what your beard looked like when
              Q.
11:56:46 12
          you allege the supervisor also told you you needed to
11:56:50 13
          shave?
                    Yes, but more clean.
11:56:50 14
              Α.
11:56:52 15
                    What do you mean by "more clean"?
              Ο.
                    Like basically, if you see the dread lines --
11:56:55 16
11:56:59 17
          the -- I don't know if you call them dread lines or
11:57:01 18
                  Like, more clean, more fresh. Like if you see
11:57:06 19
          in the first picture right here, it's more clean than
11:57:09 20
          over here (indicating). I don't know if the picture's
11:57:14 21
          like a little bit different, the camera edge, because
11:57:16 22
          this is far away and this is closer. It probably makes
          a little bit of difference.
11:57:20 23
11:57:21 24
                    Okay. Other than sort of more clean, did your
              0.
11:57:28 25
          beard look any different when the supervisor asked you
```

```
to shave?
      1
11:57:30
11:57:32
      2
               Α.
                     No.
                     When you were -- you were placed at H-E-B
11:57:33
               Ο.
11:57:44
          store locations, right? Like, you worked --
11:57:48
      5
               Α.
                     H-E-B.
11:57:48
               Ο.
                     -- at H-E-B?
11:57:50
                           Not just H-E-B. H-E-B owns different
               Α.
                     Yes.
11:57:57
      8
          names.
11:57:58
               Ο.
                     Okay.
                     I worked -- I worked for whatever H-E-B
11:58:00 10
               Α.
11:58:04 11
          company name. What I mean by "company name," let's
11:58:11 12
          say, for example, they own a -- it's a grocery store
11:58:18 13
          that's owned by H-E-B Corporation but it's a different
11:58:20 14
          name.
                     Okay. So -- so the H-E-B name --
11:58:21 15
               Ο.
11:58:25 16
               Α.
                     Yes.
11:58:25 17
                     -- is a couple of different stores?
               ο.
11:58:28 18
                     They have a main store.
                                                  It's the H-E-B,
               Α.
11:58:32 19
                   And they have the most one -- let's say, for
          H-E-B.
          example, it's for high, wealthy areas, but they don't
11:58:37 20
          call them H-E-B. They call them different names.
11:58:42 21
11:58:44 22
               Q.
                     Do you know what they call them?
                     One of them called Central Market.
11:58:46 23
               Α.
11:58:48 24
                     And you said that these are for high, wealthy
               Ο.
11:58:52 25
          areas?
```

```
of an Inspection Report that was completed on you
      1
12:01:49
          during employment with Allied. Have you seen this
12:01:51
      2
          document before?
      3
12:01:56
                     I -- I've seen this one.
12:02:01
               Α.
                           MR. SHINE: And for the record, it's
12:02:03
      5
          labeled AUS 731 to 732.
12:02:04
      6
12:02:17
                     (By Mr. Shine)
                                       On the first page, Twana, does
          it give a date for when this was completed?
12:02:19
      8
                     Yes.
12:02:22
               Α.
                     And what date is listed?
12:02:22 10
               Ο.
                     The 26th of 2022, 6:15 a.m.
12:02:29 11
               Α.
12:02:38 12
                     Sure.
                             And you said the 26th of 2022.
               Ο.
          there a month identified?
12:02:43 13
12:02:44 14
               Α.
                     Yes.
12:02:45 15
               Ο.
                     What month?
                     By number, I don't know it by number. I don't
12:02:46 16
               Α.
12:02:54 17
          know how to say it by number.
12:02:55 18
                     Okay. Would you agree with me that it says 26
               Ο.
          MAR 2022?
12:03:00 19
12:03:01 20
               Α.
                     Yes, MAR, yes.
                     And would you agree with me that MAR is short
12:03:02 21
               Ο.
          for March?
12:03:07 22
12:03:08 23
                     By number it will be more understandable to
               Α.
12:03:11 24
          me.
                     March is the third month of --
12:03:11 25
               Ο.
```

```
Yeah, yeah, yeah. 3/26/2022, 6:15.
12:03:14
      1
               Α.
12:03:20
      2
                     Okay. And you were the officer being
               ο.
          reviewed, correct?
      3
12:03:23
12:03:23
      4
               Α.
                     Yes.
                              If you turn to the second page, which
12:03:24
      5
               Ο.
           is AUS 732, there's two photographs, right?
12:03:28
      6
12:03:36
               Α.
                     Yes.
                     And is that a photograph of you?
12:03:37
      8
               Ο.
12:03:41
               Α.
                     That is me, yes.
12:03:42 10
               Q.
                     Do you have a beard in this photo?
12:03:46 11
               Α.
                     Yes.
12:03:49 12
                     In March of 2022, is this before or after the
               Ο.
12:04:01 13
          supervisor asked you to shave?
                     I don't remember.
12:04:02 14
               Α.
12:04:10 15
                     The picture as it's represented on AUS 732, is
               Ο.
          this beard shorter or longer than the other pictures we
12:04:15 16
12:04:21 17
          looked at today?
12:04:22 18
                     It's not clear enough.
               Α.
12:04:24 19
                     And did you shave or trim your beard in this
               Ο.
12:04:31 20
          picture?
12:04:32 21
               Α.
                     Lined it up.
12:04:32 22
               Q.
                     You lined it up?
12:04:34 23
               Α.
                     Yes.
12:04:34 24
               Q.
                     Okay.
12:04:35 25
                     You can call that trimming to keep it clean.
               Α.
```

```
And were there any issues with your beard at
      1
12:04:39
              Ο.
      2
          this point in March of 2022?
12:04:46
                    At the site? Nobody had an issue with it at
12:04:50
      3
              Α.
          H-E-B at all.
12:04:54
      4
                    What about with Allied? Did anyone complain
12:04:58
              Ο.
          about your beard at this point?
12:05:06
      6
12:05:08
                    They didn't want the beard but -- Patrick
          Freeney didn't want the beard. He told me about it.
12:05:12
     8
                    In March of 2022?
12:05:17
              Ο.
                    I don't remember the exact date or March or
12:05:18 10
              Α.
12:05:20 11
          anything like that. Before that, during the training,
12:05:27 12
          he told me about it. After that and that specific
12:05:31 13
          date, I don't remember.
12:05:32 14
              Ο.
                    And again, was this before or after you
12:05:37 15
          shaved?
                    That's -- I remember I trimmed it out.
12:05:38 16
              Α.
12:05:55 17
          Trimmed. Maybe lowered it. I don't remember.
12:05:59 18
                    So when you testified earlier that you
              Ο.
12:06:02 19
          shaved --
12:06:02 20
              Α.
                    Yes.
                    -- is this how it looked after you were done?
12:06:02 21
              Ο.
12:06:05 22
              Α.
                    Lower.
                    In your complaint, Twana, you also claim that
12:06:07 23
              Ο.
          there were other security professionals with beards,
12:06:19 24
12:06:21 25
          some that were longer than yours, right?
```

```
12:06:25
                    That's correct.
      1
              Α.
12:06:26
      2
                    Who did you specifically see with a beard that
          was longer than yours?
12:06:28
      3
12:06:29
      4
              Α.
                    The gentleman, he was working at a site that I
          came from a place. The time was 4:30 because that's
12:06:33
      5
12:06:37
      6
          when I was scheduled.
                                    It was a heavyset Hispanic male
12:06:41
          tatted up on both arms. His beard was like this long
          (indicating).
12:06:46
      8
                    When you say "this long," approximately, what,
12:06:47
              Ο.
          a foot?
12:06:49 10
12:06:50 11
                    You can say that. And I have asked him, did
              Α.
12:06:58 12
          anybody came up to you and ask you to shave your beard?
12:07:01 13
                         I was like, Well, they're telling me to
          He says no.
12:07:04 14
                             He laughed and no comment.
          shave my beard.
12:07:08 15
                    Do you remember his name?
              Ο.
12:07:09 16
              Α.
                    No.
12:07:17 17
                    Did you ask him if he had an accommodation?
               Ο.
12:07:21 18
                    No, I did not ask him.
              Α.
12:07:22 19
                    Do you know if he had an accommodation?
              Ο.
12:07:30 20
                    No, I don't know.
              Α.
                    Besides this heavier set Hispanic male, is
12:07:32 21
               Ο.
12:07:36 22
          there anyone else that you identified as having a beard
12:07:39 23
          longer than yours?
12:07:41 24
                    I don't remember exactly, like, if somebody
              Α.
12:07:48 25
          had it longer.
```

Anyone else, Twana, that you can identify that 12:07:50 1 Ο. 12:07:59 2 had a beard like yours, meaning the same length as 3 12:08:04 yours? Like, trimmed and cleaned? No. But Siboldi 12:08:04 Α. had a beard. It was my -- you can say my classmate 12:08:12 5 because he was in a class with me. He had a beard. 12:08:17 12:08:24 couple of other guys, they had a beard. Was it trimmed out or anything like that? I don't think so. 12:08:28 8 the -- one of the guys who had my beard clean and 12:08:30 9 trimmed and looked professional. 12:08:33 10 And again, do you know if Siboldi had an 12:08:35 11 Ο. accommodation? 12:08:48 12 12:08:48 13 I don't think he had accommodation. 12:08:53 14 think so. But did I ever ask him? I don't remember, 12:08:58 15 honestly. 12:08:58 16 Another thing that you allege in your Ο. complaint, Twana, is that you were not issued a 12:09:02 17 body-worn camera but others were. 12:09:09 18 That is correct. 12:09:12 19 Α. 12:09:12 20 Is that right? Ο. 12:09:14 21 Α. Yes, sir. 12:09:15 22 Q. Were others in your training program issued body-worn cameras? 12:09:18 23 12:09:19 24 Α. Everybody was issued body cameras, badges --12:09:32 25 metal badges -- probable -- probable uniform.

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So speaking specifically about the body-worn 1 12:09:48 Ο. 12:09:53 2 cameras, you said everyone. So all ten people or so that were in your Elite training class received 12:09:55 3 12:09:58 4 body-worn cameras? Siboldi had a body camera when he was in 12:09:59 Yes. 12:10:03 6 the class. Had it in a vest. It's part of your policy 12:10:12 to have the body camera. And what policy is that? 12:10:16 8 Ο. They told us it's part of their policy to have 12:10:17 Α. the proper uniform, equipments and everything. Like, 12:10:20 10 have the badge and camera, metal badge, identification. 12:10:25 11 12:10:30 12 So the metal badge goes here, the identification card 12:10:33 13 goes here; shows your pictures, identify who you are. 12:10:39 14 The firearm, Taser, baton, one pair of handcuffs. 12:10:45 15 didn't have --12:10:46 16 And whose policy was this? Ο. 12:10:48 17 Α. The company. Like, they told us that's -- you 12:10:51 18 have to have these. It's part of their Elite policy. 12:10:56 19 You have to be complete. 12:10:57 20 Who specifically issued the equipment during Ο. 12:11:03 21 training? 12:11:04 22 Α. The instructor. 12:11:14 23 Monroe? Ο. 12:11:15 24 That is correct. But the body camera, it Α.

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really didn't matter. Anybody, like, from the

12:11:22 25

```
office -- with the Elite program, they could have
12:11:25
      1
12:11:30
      2
          issued it to you, you know.
                    Did you report not getting a body-worn camera
12:11:42
               Ο.
12:11:46
      4
          to anyone?
12:11:46
      5
               Α.
                    Yes.
                    Who did you report it to?
12:11:47
               Ο.
                    I talked to the supervisor.
12:11:48
               Α.
                    Who is the supervisor?
12:11:49
      8
               Ο.
                    Mauroso -- Mauricio. He came to the field.
12:11:50
               Α.
          told him, Hey, I don't have this, I don't have that.
12:11:59 10
12:12:02 11
          don't have a body camera. I don't have this.
                                                                 And he
12:12:05 12
          was like, Don't worry about it.
12:12:29 13
                          (Exhibit No. 16 marked.)
12:12:29 14
                     (By Mr. Shine) Twana, I'm handing you a
12:12:31 15
          packet of photos that you provided in discovery.
          are consecutively labeled AhmedAllied 584 through 587.
12:12:35 16
12:12:46 17
                          Starting with the first page which is
12:12:49 18
          548, who is the security quard?
12:12:50 19
               Α.
                    He's Allied employed with the Elite program.
12:12:54 20
                    And what's his name?
               Ο.
                    Don't know his name.
12:12:55 21
               Α.
                    And was he in your training program?
12:12:56 22
               Q.
12:12:59 23
                    I can't recall him, no.
               Α.
12:13:02 24
                    When was he hired by Allied?
               Ο.
12:13:05 25
                    Not aware of that.
               Α.
```

| - 1 | \cap | n |
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Allied Universal employees, the same program
      1
               Α.
12:15:21
12:15:26
      2
          that I was in, the Elite program.
                    And what's her name?
12:15:30
      3
               Ο.
                    I don't remember her name. Don't know his --
12:15:32
               Α.
                   Do not know her name.
12:15:34
          sorry.
                    And what's his name?
12:15:36
               Ο.
12:15:37
                    Don't -- don't know his name either.
               Α.
                    Do you know when this female officer was
12:15:41
      8
               Ο.
          hired?
12:15:44
     9
                    No, I do not.
12:15:45 10
               Α.
                    Is she an Elite officer?
12:15:47 11
               Q.
12:15:49 12
               Α.
                    Yes.
12:15:50 13
                    How do you know that?
               Ο.
                    The shirt, the badge, the camera, the holster
12:15:52 14
               Α.
12:15:57 15
          of the firearm, the vest, the Taser.
12:16:08 16
               Ο.
                    Do officers not in the Elite program get
12:16:14 17
          issued the same stuff?
12:16:16 18
               Α.
                    No, no.
12:16:16 19
                    And how do you know that?
               Ο.
                    You don't -- like, you don't get issued a
12:16:19 20
          firearm like this with a holster. That's what I'm
12:16:25 21
12:16:28 22
          aware -- like, know of. Like, they don't issue, like,
12:16:32 23
          so much equipments like this, expensive equipments,
12:16:35 24
          like a Taser. The Taser is approximately $3,500 Taser,
12:16:42 25
                       I have not seen anybody work for Allied that
```

| 40,46,40 1 | I had some engounter with that have these equipments |
|-------------|--|
| 12:16:46] | |
| 12:16:52 2 | Q. Still looking at the female officer, did she |
| 12:16:57 | attend Elite training with you? |
| 12:16:58 | A. No, she did not. I don't I never seen her |
| 12:17:00 5 | in my training class. |
| 12:17:02 | Q. Do you know when she was when she completed |
| 12:17:05 | training? |
| 12:17:05 | A. I have no idea. |
| 12:17:07 | Q. Who took this photo? |
| 12:17:09 10 | A. I did. |
| 12:17:10 11 | Q. And where was the photo taken? |
| 12:17:11 12 | A. That was at H-E-B store. |
| 12:17:13 13 | Q. Which location? |
| 12:17:14 14 | A. I believe West Houston. I don't know if it's |
| 12:17:24 15 | West or South. I think West Houston. |
| 12:17:28 16 | Q. And what date was this photo taken? |
| 12:17:30 17 | A. Do not remember the date exactly. |
| 12:17:36 18 | Q. Do you know who issued her the body-worn? |
| 12:17:39 19 | A. No, I do not. |
| 12:17:42 20 | Q. Do you know when she was issued the body-worn? |
| 12:17:45 2] | A. No, I was I do not. |
| 12:17:51 22 | Q. Was this photograph taken around the same time |
| 12:17:54 23 | of the other officer that we talked about, the guy |
| 12:17:56 24 | A. The first one? |
| 12:17:57 25 | Q. Yeah, on 584 and 585. |

| 12:18:00 | 1 | A. Approximately but not same date or probably |
|------------|---|--|
| 12:18:04 | 2 | not same week but close by, you can say that. |
| 12:18:07 | 3 | Q. And what about the male officer? Do you know |
| 12:18:13 | 4 | when he was hired? |
| 12:18:14 | 5 | A. No, I do not. |
| 12:18:15 | 6 | Q. Did he attend training with you? |
| 12:18:17 | 7 | A. No, he didn't no, I didn't have I don't |
| 12:18:19 | 8 | recall him in my class. |
| 12:18:20 | 9 | Q. Is this the Hispanic male that you were |
| 12:18:25 1 | 0 | referring to previously? |
| 12:18:26 1 | 1 | A. No. But he give he give the familiarity of |
| 12:18:42 1 | 2 | him like a little bit closer like him, but the other |
| 12:18:45 1 | 3 | gentleman a little bit heavyset and tattoo on arm, and |
| 12:18:50 1 | 4 | his beard was longer than that beard. |
| 12:18:53 1 | 5 | Q. Again, do you know what his name is? |
| 12:18:56 1 | 6 | A. No, I do not. |
| 12:18:58 1 | 7 | Q. Do you know if he took the Elite training |
| 12:19:01 1 | 8 | before you? |
| 12:19:02 1 | 9 | A. I do not. |
| 12:19:06 2 | 0 | Q. Do you know if he took Elite training after |
| 12:19:08 2 | 1 | you? |
| 12:19:09 2 | 2 | A. I'm not aware of that. |
| 12:19:10 2 | 3 | Q. And who it's fair to say you took this |
| 12:19:12 2 | 4 | photo because he's in a |
| 12:19:14 2 | 5 | A. That is correct, yeah. |

| г | | |
|-------------|-----------------------------------|-------------------------|
| 12:19:15 1 | Q. Do you know when he was | issued a body-worn |
| 12:19:19 2 | camera? | |
| 12:19:19 3 | A. I am not I'm not awa: | re of that. |
| 12:19:21 4 | Q. And do you know who issu | ued the body-worn |
| 12:19:25 5 | camera to him? | |
| 12:19:25 6 | A. I am not aware of that. | |
| 12:19:27 7 | Q. If you turn to the last | page in here, which is |
| 12:19:30 8 | AhmedAllied 587, is it fair to sa | ay that that's |
| 12:19:34 9 | A. The same photo. | |
| 12:19:37 10 | Q the same individuals: | ? |
| 12:19:38 11 | A. Yes, you can say that, y | yeah. |
| 12:19:39 12 | Q. And sort of briefly retu | arning to our |
| 12:19:42 13 | discussion that we've had, Twana | , about your beard |
| 12:19:45 14 | A. Yeah. | |
| 12:19:45 15 | Q in looking at this of | ficer's beard, is his |
| 12:19:48 16 | beard the same length as yours wa | as before you shaved? |
| 12:19:53 17 | A. That's longer. | |
| 12:19:54 18 | Q. It's longer. Okay. Do | you know if he was |
| 12:19:59 19 | given an accommodation? | |
| 12:20:00 20 | A. Not aware of that. | |
| 12:20:01 21 | Q. Did you ever ask him if | he was given |
| 12:20:05 22 | A. No, I did not. | |
| 12:20:03 23 | Q an accommodation? | |
| 12:20:05 24 | A. No. | |
| 12:20:09 25 | Q. After you took these pho | otographs, did you show |

```
them to anyone at Allied Universal?
12:20:13
     1
12:20:20
              Α.
                    At Allied?
                                 No.
                    Why did you take these photographs?
12:20:22
                    To see the difference between what I got and
12:20:25
      4
              Α.
          they got. To see the difference the way they were
12:20:34
      5
12:20:38
      6
          getting the equipments and I was -- I got my
12:20:41
                        The treatment -- the treatment of -- they
          received and the treatment I received.
12:20:47
     8
                    Did you ever take a photo of yourself in full
12:20:50
              Ο.
          uniform?
12:20:54 1 0
                    I don't remember.
12:20:55 11
              Α.
                    Did you ever talk to any of these officers in
12:20:57 12
              Ο.
12:21:07 13
          these photos that we just talked about?
                    These two, no. And the other one, I don't
12:21:09 14
12:21:13 15
          remember ever spoken to him before.
                    And when you told the supervisor that you
12:21:14 16
              Ο.
12:21:32 17
          weren't issued a body-worn --
12:21:34 18
              Α.
                    Yes.
12:21:34 19
                    -- how did he respond? Like, what did he --
              Ο.
12:21:44 20
          what did he say back to you?
                    Every time I asked for something: Don't worry
12:21:46 21
12:21:50 22
          about it or we don't have any available or don't worry
          about it, it's all good. And I told him, I'm like,
12:21:55 23
          hey, I needed it. I'm missing a lot of equipments.
12:22:00 24
12:22:04 25
          get the same response from them. Every time I asked
```

| 12:22:07 1 | for anything, I get the same response. |
|-------------|---|
| 12:22:12 2 | Let's say for the uniform, the Elite |
| 12:22:15 3 | you're supposed to have that's not black. Navy |
| 12:22:22 4 | blue. Like, full set because you worn a set you |
| 12:22:28 5 | worn a vest that's navy blue. The shirts I got one |
| 12:22:34 6 | shirt. It was four times bigger than my size. And |
| 12:22:38 7 | they told me we don't have any, just put that on and go |
| 12:22:41 8 | work. I had no choice. I had to wear it and go to |
| 12:22:46 9 | work. |
| 12:22:46 10 | Q. You started your employment with Allied in |
| 12:22:50 11 | December of 2021, right? |
| 12:22:51 12 | A. Correct. |
| 12:22:51 13 | Q. Would you agree with me that the COVID |
| 12:22:56 14 | pandemic was happening at that point? |
| 12:22:58 15 | A. It was during COVID. I am aware of that, |
| 12:23:01 16 | yeah. |
| 12:23:01 17 | Q. And do you remember going to, say, a grocery |
| 12:23:05 18 | store and there being things out of stock or something |
| 12:23:11 19 | not available? |
| 12:23:12 20 | A. I was not aware of that, no. |
| 12:23:14 21 | Q. Do you do you ever watch the news or listen |
| 12:23:21 22 | to the news? |
| 12:23:22 23 | A. Yeah. |
| 12:23:23 24 | Q. Do you remember the shortage of, say, paper |
| 12:23:27 25 | towels, toilet paper, things like that? |

```
People were going crazy over that, yes.
12:23:29
      1
              Α.
12:23:33
      2
                    Right. So when Allied told you that they
              Ο.
      3
          didn't have something, you somehow say that's
12:23:36
12:23:40
     4
          discriminatory?
                    The reason is because when I asked them, they
12:23:41
12:23:45
      6
          said to me, We don't have any. But the supervisor say
12:23:53
          we took the last ones and they already had some, the
          proper uniform. Why would you take the last ones if
12:23:57
      8
          you know you have officers are missing the -- missing
12:24:01
      9
12:24:03 10
          the correct ones -- the -- missing proper uniform and
12:24:08 11
          you just take it for yourself. Or we have another
12:24:12 12
          officers got issued shirts who came -- graduated with
12:24:15 13
               They issued the blue one. I was the one who got
12:24:19 14
          issued a different color.
12:24:32 15
                         MR. SHINE: I think we're are at a good
          spot to take a break.
12:24:34 16
12:24:37 17
                         MS. HERNANDEZ:
                         THE VIDEOGRAPHER: Off the record at
12:24:37 18
12:24:39 19
          12:24.
12:24:40 20
                          (Off the record 12:24 p.m. to 12:37 p.m.)
12:37:12 21
                                               Back on the record at
                         THE VIDEOGRAPHER:
          12:37.
12:37:38 22
12:37:40 23
                    (By Mr. Shine) Twana, I'd like to turn back to
              Ο.
12:37:44 24
          talk a little bit further about your -- your complaint
12:37:46 25
          and some of the specific allegations that you've made.
```

```
So I know you have a bunch of documents in front of
      1
12:37:48
12:37:52
      2
          you.
12:37:52
               Α.
                    Yes.
                    But if you could find the one that we talked
12:37:52
          about first which has a number, sticker Number 1, on
12:37:55
                It's the complaint that you filed against Allied.
12:37:58
      6
          It looks like it might be at the very bottom of all of
12:38:04
          those pages in front of you.
12:38:09
      8
                    Is this the one you are referring to?
12:38:14
               Α.
                    Yes. Does the sticker say Number 1 on it?
12:38:15 10
               Ο.
12:38:19 11
               Α.
                    It does.
12:38:19 12
                            If you could turn to page 9.
               Ο.
                    Okay.
12:38:30 13
          you see where the paragraphs continue: 47, 48, 49, 50?
                    Yeah, I see that.
12:38:37 14
               Α.
12:38:38 15
                    Okay. Can you, starting with paragraph 50,
          just read that paragraph to yourself and look up
12:38:41 16
12:38:48 17
          whenever you're finished.
                    Just the 47?
12:38:48 18
               Α.
12:38:50 19
                    Number 50.
               Ο.
12:38:53 20
                    Number 50.
               Α.
                                  Okay.
12:39:13 21
               Ο.
                    Is it -- is it fair to say that Patrick got
12:39:18 22
          mad at you about allegedly missing a day of work?
          that -- is that what you're -- you're talking about in
12:39:23 23
          this paragraph?
12:39:26 24
12:39:26 25
                           But I never missed any day of work.
               Α.
```

| 12:39:29 1 | Q. Right. But the | the what you say is that |
|-------------|------------------------------|-----------------------------|
| 12:39:32 2 | Patrick got mad because he c | laims you missed a day of |
| 12:39:35 3 | work, right? | |
| 12:39:35 4 | A. That's correct, yes | . That is correct. |
| 12:39:37 5 | Q. When was this? Lik | e, what specific day was |
| 12:39:40 б | this? | |
| 12:39:40 7 | A. Don't remember the | specific date. |
| 12:39:47 8 | Q. Was this before or | after training? |
| 12:39:49 9 | A. That was after trai | ning. |
| 12:39:55 10 | Q. And was this before | or after he asked you to |
| 12:39:59 11 | shave your beard? | |
| 12:40:00 12 | A. That's after. | |
| 12:40:07 13 | Q. And was this before | or after the supervisor |
| 12:40:09 14 | asked you to shave your bear | d? |
| 12:40:13 15 | A. That's after. | |
| 12:40:14 16 | Q. Okay. Where were y | ou when this conversation |
| 12:40:21 17 | took place? | |
| 12:40:22 18 | A. At the office. | |
| 12:40:24 19 | Q. When you say "the o | ffice," what office are you |
| 12:40:27 20 | referring to? | |
| 12:40:27 21 | A. 45. | |
| 12:40:28 22 | Q. And you previously | testified 45 means the |
| 12:40:33 23 | Allied branch office; is tha | t right? |
| 12:40:34 24 | A. Yes, yes. | |
| 12:40:35 25 | Q. Where in the office | did this conversation |

```
Α.
                     In his office.
      1
12:40:39
12:40:40
      2
               0.
                     When you say "his," is that Patrick Freeney's?
12:40:43
      3
                     Yes.
               Α.
12:40:43
      4
               Ο.
                     Who else was present with you?
12:40:45
      5
               Α.
                     Nobody.
                     What does Patrick Freeney's office look like?
12:40:46
      6
               ο.
          Like, how was it set up?
12:40:52
                     You walk into the office. A lot of stuff
               Α.
12:40:54
      8
          behind him; chargers, battery chargers.
12:41:00
12:41:06 10
               Q.
                     Okay.
12:41:07 11
                     Let's say -- let's say this is the chargers
               Α.
12:41:10 12
          behind you and a desk, two computers to the left side
12:41:17 13
          that kind of facing him but you can see a little bit,
          and the computer in front of him.
12:41:20 14
12:41:22 15
               Ο.
                     Okay.
                     And two chairs. Two chairs front of him and a
12:41:23 16
               Α.
12:41:29 17
          door and a lot of -- a lot of equipments right next to
          him.
12:41:32 18
12:41:32 19
                             And it was just him in the office?
               Ο.
                     Okay.
12:41:36 20
                     It was just him in the office, yes.
               Α.
12:41:38 21
               Ο.
                     And where was he at in the office when you
12:41:41 22
          first got there?
                     He was in his office.
12:41:42 23
               Α.
12:41:45 24
                     Sure. Was he sitting?
                                                 Standing? Walking
               Ο.
12:41:49 25
          around?
```

| 12:41:50 1 | A. No. Sitting. |
|-------------|---|
| 12:41:51 2 | Q. Was he at his desk or one of the chairs you |
| 12:41:54 3 | talked about? |
| 12:41:54 4 | A. No. He's at desk. |
| 12:41:56 5 | Q. And what made you go to his office that day? |
| 12:41:59 б | A. He called me to come to the office. |
| 12:42:01 7 | Q. Was that a day that you were scheduled to |
| 12:42:03 8 | work? |
| 12:42:03 9 | A. I do not remember if I was scheduled to work. |
| 12:42:17 10 | But he called me to the office and he said you need to |
| 12:42:19 11 | come into the office. |
| 12:42:20 12 | Q. Okay. Do you remember being in uniform at |
| 12:42:22 13 | that point? |
| 12:42:22 14 | A. I do not remember if I was in uniform. |
| 12:42:31 15 | Q. Where was Patrick's office sort of compared to |
| 12:42:36 16 | others? Are there let me rephrase. |
| 12:42:39 17 | Are there offices sort of on each side of |
| 12:42:41 18 | his office, or is it just sort of a standalone by |
| 12:42:44 19 | itself? |
| 12:42:45 20 | A. So front of his office this is his door. |
| 12:42:52 21 | This is his door. Front of him, a couple of feet down |
| 12:42:56 22 | is the restroom. Right next to his office, it's a I |
| 12:43:00 23 | believe it's a longer office, longer than this, I think |
| 12:43:04 24 | so. Right next to him, a small office. Right next to |
| 12:43:09 25 | him, a corner office, and then right next to that an |

office, a longer office. 12:43:13 1 12:43:14 Ο. Okay. Were those offices occupied at the time 12:43:18 3 too? 12:43:20 Α. I didn't pay attention to the office right next to him, are they occupied or not. 12:43:23 When you first got to the office that day, did 12:43:25 you talk to anyone before you talked to Patrick? 12:43:30 No, I don't remember that because my main goal 12:43:32 8 Α. was to see Patrick at that time. 12:43:38 And when you get to the branch office, did you 12:43:39 10 Ο. have to go, you know, through -- I don't want to say 12:43:43 11 12:43:47 12 security. But did you have to sort of -- sort of buzz 12:43:49 13 in in any way or do you --12:43:51 14 The door is open. You walk in and the No. clerk -- you know, it's not a -- the front desk knows 12:43:54 15 12:43:57 16 who you are; you work for the company. You let her 12:44:00 17 know who you are and who you are here to see. And 12:44:06 18 they -- they -- sometimes Patrick come gets you, or 12:44:12 19 sometimes you walk in. But majority of the time 12:44:16 20 somebody will come get you. And on this day, did you talk to that front 12:44:17 21 12:44:25 22 reception or --12:44:26 23 Yeah. Yeah, yeah, yeah. Α. 12:44:27 24 And was it a male or a female? Ο. It was a female. 12:44:28 25 Α.

| 1 | |
|-------------|--|
| 12:44:30 1 | Q. What does she look like? |
| 12:44:31 2 | A. African American, a little bit heavyset, |
| 12:44:42 3 | longer hair. |
| 12:44:43 4 | Q. Do you remember her name? |
| 12:44:44 5 | A. No, I do not. |
| 12:44:45 б | Q. And what did you tell her when you first got |
| 12:44:47 7 | there? |
| 12:44:48 8 | A. "I'm here to see Patrick." And she recognized |
| 12:44:51 9 | me, that I work for the company and I've been in and |
| 12:44:57 10 | out for the class and all that. |
| 12:44:58 11 | Q. Okay. Did you say you were there to see |
| 12:45:00 12 | Patrick or Patrick Freeney or |
| 12:45:02 13 | A. Patrick. Patrick Freeney. |
| 12:45:04 14 | Q. And how did she respond? |
| 12:45:08 15 | A. "Okay. I will notify him." |
| 12:45:12 16 | Q. Then what happened after that? Did you get |
| 12:45:19 17 | buzzed in or did Patrick come and get you? |
| 12:45:22 18 | A. He come and get me. |
| 12:45:24 19 | Q. What did he first say to you when he came to |
| 12:45:27 20 | get you? |
| 12:45:27 21 | A. "Come on in." I walked in. |
| 12:45:34 22 | Q. And after walking in, how far is the walk from |
| 12:45:38 23 | sort of walking into Patrick's office? |
| 12:45:41 24 | A. So you walk in. There's an office in the |
| 12:45:49 25 | shape of classrooms to your left. It's a short walkway |

| 12:45:56 1 | from here to there. You make a right. You go a little |
|-------------|--|
| 12:46:00 2 | bit further down. Patrick's office will be on the |
| 12:46:04 3 | left. |
| 12:46:04 4 | Q. Did you have any other conversations with |
| 12:46:06 5 | Patrick while you were walking to his office? |
| 12:46:12 б | A. No. |
| 12:46:13 7 | Q. And when you get to his office, he went behind |
| 12:46:18 8 | his desk? |
| 12:46:19 9 | A. Yes. |
| 12:46:19 10 | Q. And where did you go? |
| 12:46:29 11 | A. In the office. |
| 12:46:30 12 | Q. Sure. So were you standing? Were you |
| 12:46:32 13 | sitting? |
| 12:46:32 14 | A. At the first time I was standing because I |
| 12:46:38 15 | can't just sit down. I want to ask for permission, Can |
| 12:46:42 16 | I sit down or anything like that. So I sit down. Have |
| 12:46:46 17 | a seat. I sit down. |
| 12:46:48 18 | Q. Okay. So after you had a seat, it was in one |
| 12:46:50 19 | of the chairs in front of his desk, right? |
| 12:46:52 20 | A. That's correct, yeah. |
| 12:46:53 21 | Q. And so after you sat down, Patrick sat down at |
| 12:46:56 22 | his desk? |
| 12:46:57 23 | A. He sat down at his desk, yeah. |
| 12:46:59 24 | Q. And what specifically did he say to you at |
| 12:47:01 25 | that point? |

| 7 | - | _ |
|-----|-----|---|
| - 1 | - 1 | h |

```
"You were scheduled to work. You missed a day
      1
12:47:02
12:47:10
      2
          of work."
                          I was very shocked when he said that,
12:47:12
          that I missed a day of work. I was -- I never missed a
12:47:14
                I don't know what he's talking about. I always
12:47:18
12:47:21
      6
          showed up to work.
12:47:25
                    What day did he say you missed?
                    I don't remember the day. But it was a day in
12:47:27
      8
              Α.
          the schedule, so -- according to him, that I missed to
12:47:32
12:47:34 10
          work, that I did not show up.
                    Was this in December of 2021?
12:47:36 11
              Q.
12:47:40 12
              Α.
                    Do not remember that.
12:47:43 13
                    Was this in January of 2022?
              Ο.
                    Somewhere around 2022. Don't remember the
12:47:48 14
              Α.
12:47:50 15
          month, honestly.
                    Was this in February of 2022?
12:47:51 16
              Ο.
12:47:53 17
              Α.
                    Don't remember that.
12:47:55 18
                    And how did you respond to Patrick?
              Ο.
12:48:06 19
                    I told him I never listen to -- I never -- I
              Α.
          never missed a day of work or anything like that.
12:48:11 20
12:48:16 21
                          He said, You were sent a schedule to
          work, you agree to it.
12:48:20 22
12:48:22 23
                          I was like, I was never sent a schedule.
12:48:24 24
                          And he start yelling at me and telling
12:48:26 25
          me, If you are lying, I'm gonna grill you or -- grill
```

```
1
         you like an F-ing chicken.
12:48:35
12:48:39
      2
                         And I was kind of scared. And I told
         him, You are yelling at me. And all that stuff.
12:48:44
     3
         you are not listening. You are -- you have one side of
12:48:48
     4
         the story. You need to listen to -- you need to listen
12:48:53
     5
         to both side of story. I showed up to the worksite.
12:48:58
     6
         According to what I have in here, in my phone, the
12:49:04
         schedule, I went there. I called you and I told you I
12:49:07
     8
         went to the site to work and I was not scheduled to
12:49:11
                 I called Alex. The first time Alex says I'm --
12:49:15 10
         work.
         he's the supervisor at the time who sent me the text
12:49:21 11
12:49:24 12
         message told me to go to this post.
12:49:26 13
                         So I get to the post.
                                                  It was an hour --
12:49:28 14
         an hour away from where I was. So I get there.
12:49:36 15
         they -- there was no patrol car, there was no security,
12:49:40 16
         there was nobody. So I went around -- I told him I
12:49:43 17
         went around -- I went around the premises of the
12:49:44 18
         property to look for a patrol car. I went in the store
12:49:48 19
         and there was no security, so it was kind of weird.
12:49:51 20
         I went to H-E-B and asked for, Hey, if there's any
12:49:54 21
         patrol car here or anything like that.
                         So I called Alex. I said, Alex, I'm at
12:49:56 22
         this post that you told me to be here at this time,
12:49:59 23
12:50:03 24
         this date, and this month -- time over here. But there
12:50:08 25
         is nothing going on.
```

```
He says, I think that -- I'm with family
12:50:10
     1
12:50:16
     2
         right now.
                       It's my day off. But don't worry about it.
     3
         You can go home. We will -- you will get paid for
12:50:20
         driving over there and driving back.
12:50:29
     4
                         So I told him it's not about the pay and
12:50:33
         all that. But you scheduled me to be here.
12:50:35
     6
12:50:39
     7
         supposed to be overtime. Because I asked for
         overtime -- like, to work overtime; I needed extra
12:50:43
     8
         hours, extra money. And I went back home after that.
12:50:47
                         A couple of days later, I get the phone
12:50:51 10
12:50:53 11
         call from Patrick. And it was regarding of missing a
12:51:02 12
                And I told Patrick, I never missed a day.
12:51:05 13
         is my text message. This is the proof. I called you
12:51:07 14
         and I told you this is what happened. You told me
12:51:11 15
         don't worry about it. Go home. I'll take care of it.
12:51:15 16
         And you never called me back or gave me an update.
12:51:18 17
         now you're telling me I'm missing a date? You're
         talking about this date that I missed but I went there.
12:51:21 18
12:51:24 19
         I have text messages. You need to bring Alex to the
12:51:27 20
                   Because you need to bring him, sit him down in
12:51:31 21
         front of me to -- face-to-face so you can have both
12:51:35 22
         sides of the story. You cannot listen to one side of
12:51:39 23
         the story because that's not fair.
12:51:41 24
                         He said to me, If you are lying to me,
12:51:46 25
         I'm gonna fire you like an F-ing chicken.
                                                         This is
```

| 1 | America. We run things different over here. It's not |
|----|--|
| 2 | like where you come from. Things doesn't things |
| 3 | doesn't get run like that over here. |
| 4 | I was shocked when and at the same |
| 5 | time I was scared. I couldn't say anything. And every |
| 6 | time I tried, like, a word they don't understand or try |
| 7 | to ask him, he'd be, buh, buh, buh, buh, buh, buh. |
| 8 | Keep talking. Keep talking. Shut your fucking mouth. |
| 9 | And I was just scared and shocked and |
| LO | didn't know what to do because at the same time I was |
| L1 | in need of money, in a really bad spot because I had |
| L2 | family member who I had |
| L3 | Q. I'm going to pause you right there |
| L4 | A. Yes. |
| L5 | Q so we can talk about what you just |
| L6 | testified to a little bit. |
| L7 | A. Okay. |
| L8 | Q. This sort of text message and telling Patrick |
| L9 | he needs to talk to Alex. You said Alex was a |
| 20 | supervisor. What was Alex's last name? |
| 21 | A. I do not know his last name. |
| 22 | Q. When you say he was a supervisor, what kind of |
| 23 | supervisor was he? |
| 24 | A. A supervisor. What kind of supervisor? It |
| 25 | was supervisor. I know him as supervisor. |
| | 2 3 4 5 6 7 8 9 0 1 2 3 4 5 6 7 8 9 2 0 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2 |

```
1
               Ο.
                     Okay.
                             And --
12:53:05
12:53:08
      2
               Α.
                     He was -- he was below Patrick.
12:53:18
      3
                     And you showed Patrick the text messages?
               ο.
12:53:20
      4
               Α.
                     I did.
                             Yes, I did. He says, I don't want to
12:53:25
      5
          see anything.
                           And I said, You need to bring him to the
12:53:29
      6
12:53:31
          office and sit in front of me and -- to listen to both
          story at the same time to understanding what's going on
12:53:39
      8
          because --
12:53:45
      9
12:53:45 10
               Ο.
                     I'm going to pause you right there.
12:53:47 11
               Α.
                     Yes.
12:53:47 12
                     Did Alex ever come to the office while you
               Ο.
12:53:50 13
          were talking to Patrick?
12:53:51 14
               Α.
                     No, he did not.
12:53:52 15
                     Did Patrick ever try to call Alex to come to
          the office while you were talking to him?
12:53:56 16
12:53:58 17
               Α.
                     No, he did not try to call.
12:54:00 18
                     Do you know if he sent him a message or a text
               Ο.
12:54:02 19
          or other --
12:54:02 20
                     I do not --
               Α.
                     -- communication?
12:54:03 21
               Q.
12:54:04 22
               Α.
                     I don't remember that, no.
                     And when you were having this conversation or
12:54:05 23
               Ο.
12:54:10 24
          interaction with Patrick --
12:54:11 25
               Α.
                     Yes.
```

```
-- was he at his desk the whole time?
12:54:12
      1
               Ο.
12:54:14
      2
               Α.
                    He was at his desk the whole time.
                    Was he seated the whole time?
12:54:16
               Ο.
                    He was seated the whole time.
12:54:17
               Α.
                    And when you were sitting in the chair in
12:54:22
          front of his desk and he's sitting at his desk, about
12:54:24
      6
12:54:27
          how far away is that from each other?
                                                        Is it greater
          than what we're sitting apart today?
12:54:30
      8
                    A little bit closer.
12:54:33
               Α.
                    A little closer?
12:54:34 10
               Ο.
12:54:35 11
               Α.
                    Yes.
12:54:35 12
                    Is it more like you and the court reporter?
               Ο.
12:54:37 13
                    Approximately. It's a wider, round desk.
               Α.
12:54:45 14
                             Oh, it's a round desk?
               Ο.
                    It's like a -- like, it's not like this.
12:54:47 15
               Α.
          like this, like a round desk (indicating).
12:54:49 16
                    Okay. So looking at your distance to the
12:54:52 17
               Ο.
          court reporter, maybe 4 feet?
12:54:56 18
12:54:58 19
                    Yeah. You can say that.
               Α.
12:55:04 20
                    I know he says -- or at least you testified
               Ο.
          that he said a lot of things to you.
12:55:14 21
12:55:16 22
               Α.
                    Right.
                    What sort of tone of voice was he using?
12:55:16 23
               Ο.
12:55:21 24
          he --
12:55:21 25
                    Yelling at me.
               Α.
```

| 12:55:22 1 | Q. Okay. When you say "yelling," is it just the |
|-------------|---|
| 12:55:26 2 | language, or was he using like an elevated voice? |
| 12:55:29 3 | A. Elevated voice. |
| 12:55:30 4 | Q. Okay. |
| 12:55:30 5 | A. Like it's not like me and you speaking. |
| 12:55:34 6 | Q. Okay. |
| 12:55:34 7 | A. He was using a tone like: Shut up. Like, |
| 12:55:38 8 | very loud. Shut your F-ing mouth. Don't |
| 12:55:44 9 | Q. And was the office door open at that point? |
| 12:55:47 10 | A. It was closed. |
| 12:55:48 11 | Q. It was closed. When did the office door get |
| 12:55:53 12 | closed? |
| 12:55:53 13 | A. He closed it. |
| 12:55:54 14 | Q. When? |
| 12:55:55 15 | A. When I went into the office. |
| 12:56:00 16 | Q. So after you went into the office and sat |
| 12:56:02 17 | down, Patrick closed the door? |
| 12:56:03 18 | A. Closed the office. |
| 12:56:04 19 | Q. When you were walking into the office, did you |
| 12:56:07 20 | see anyone else in any of the other offices around you? |
| 12:56:10 21 | A. I did not pay attention. But there was |
| 12:56:12 22 | people, in the beginning, further down in the |
| 12:56:16 23 | classroom. |
| 12:56:16 24 | Q. Okay. No one specifically right around |
| 12:56:20 25 | Patrick's office? |

```
I didn't pay attention to anything like that
12:56:21
      1
              Α.
12:56:25
      2
          because I was there for Patrick, yeah.
      3
12:56:28
              Ο.
                    Sure.
                    To see him.
12:56:29
              Α.
                           So how did this conversation or
12:56:36
      5
          interaction end with Patrick?
12:56:38
      6
12:56:40
                    He -- the way it ended with him at that
          particular time is I'm gonna talk to -- after when I
12:56:46
     8
          said you need to bring him in, it's not okay, it's not
12:56:54
      9
          fair you to listen to one side of story. I missed a
12:56:59 10
12:57:05 11
          day of work. I never missed a day.
                                                   I always wanted to
12:57:10 12
                 I always asked for overtime.
                                                   I always asked for
12:57:13 13
          longer hours. I wanted to work. You need to bring him
12:57:16 14
          into the office. He said, I will talk to him but you
12:57:19 15
          will be hearing from me soon.
12:57:24 16
                         I guess since I never heard back from
12:57:26 17
          him, he realized I was correct and Alex was right
12:57:34 18
          that -- I quess he realized I was correct and Alex was
12:57:38 19
                  He never called me or texted me or apologized
12:57:43 20
          to me regarding of the -- what he did to me in the
12:57:47 21
          office or any apology or any phone call, say, hey,
12:57:52 22
          look, things got fixed. Sorry about what I said to you
          and things like that. It just, like, never happened.
12:57:55 23
12:57:55 24
              Q.
                    Okay.
12:57:59 25
                    And I was scared --
              Α.
```

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| - | \sim | |
|-----|--------|---|
| - 1 | ٠, | 4 |

| 12:58:00 1 | Q. I'm going to pause you for a second. |
|-------------|--|
| 12:58:02 2 | A. Yes, yes. |
| 12:58:02 3 | Q. How long did your conversation with Patrick |
| 12:58:04 4 | last? |
| 12:58:08 5 | A. I don't remember exactly how long. |
| 12:58:09 б | Q. Was it more than two minutes? |
| 12:58:12 7 | A. No. Way more than that. |
| 12:58:13 8 | Q. More than 10 minutes? |
| 12:58:15 9 | A. More than that. |
| 12:58:16 10 | Q. More than 30 minutes? |
| 12:58:17 11 | A. Approximately 30 minutes if not more. |
| 12:58:26 12 | Q. You testified that you weren't aware if he was |
| 12:58:28 13 | texting or messaging with Alex. Were you texting or |
| 12:58:31 14 | messaging with Alex at that time? |
| 12:58:33 15 | A. No, no, no. Out of respect I didn't be on the |
| 12:58:36 16 | phone in front of him or anything like that. I put the |
| 12:58:38 17 | phone away because I was there for work purposes. |
| 12:58:42 18 | Didn't want to be distracted by my phone. |
| 12:58:45 19 | Q. When the conversation ended |
| 12:58:51 20 | A. Yeah. |
| 12:58:52 21 | Q what did what did you do at that point? |
| 12:58:54 22 | A. I was walking as I was walking out, I left. |
| 12:59:09 23 | I got pulled in I believe was an HR lady. She |
| 12:59:15 24 | wanted me to It was a missing document, I think. |
| 12:59:27 25 | It was the same day there was a missing document, I |

| - | \sim | $\overline{}$ |
|-----|--------|---------------|
| - 1 | , | ^ |
| | | |

| 12:59:30 1 | believe. Wanted me to sign or something like that. So |
|-------------|---|
| 12:59:39 2 | I went to the office and I told her I did sign that |
| 12:59:47 3 | document at the event. And she said, Yeah, we're |
| 12:59:54 4 | missing that document. I was like, I have signed it |
| 12:59:57 5 | and filled it out the proper way. |
| 12:59:59 6 | Q. Okay. Who was this person? |
| 01:00:01 7 | A. It was a black lady at the office. |
| 01:00:08 8 | Q. And when you say "a black lady at the office," |
| 01:00:11 9 | I mean, who was she? |
| 01:00:13 10 | A. I believe she was from HR. Something to do |
| 01:00:15 11 | with HR or licensing licensing for the security. |
| 01:00:25 12 | Q. Okay. So this is the same day that Patrick |
| 01:00:28 13 | and you had this interaction? |
| 01:00:32 14 | A. Yes. |
| 01:00:33 15 | Q. And it was for something with your licensing? |
| 01:00:35 16 | A. Something with the license. Something with a |
| 01:00:38 17 | paper to sign and date. |
| 01:00:39 18 | Q. Okay. And |
| 01:00:39 19 | A. Which is |
| 01:00:45 20 | Q what is the name of this person? |
| 01:00:47 21 | A. I don't remember her name on top of my head. |
| 01:00:53 22 | Q. Had you met her before that day? |
| 01:00:54 23 | A. Yeah, I met her at the event. |
| 01:00:56 24 | Q. Where did you first meet her? |
| 01:00:57 25 | A. I met at the event. |

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```
So is this the same tall, black, short-haired
01:00:59
      1
              Ο.
01:01:02
      2
          woman --
                    Yeah, yeah.
01:01:02
      3
              Α.
01:01:03
                    -- that you were talking about previously?
                    Yeah, yeah. There were a couple -- couple of
01:01:04
          lady, they looked a little bit the same.
01:01:10
      6
01:01:21
                    Okay.
                          So you left Patrick's office and she
          came and got you? Or how did -- or you went and found
01:01:26
     8
          her?
01:01:30
      9
                    I was walking out. I believe she was passing
01:01:31 10
              Α.
          through or something like that or -- I don't remember
01:01:35 11
01:01:43 12
          how she contacted me or she -- but I remember I ended
01:01:49 13
          up in her office. And she pulled out the paper and
          she still -- she told me to fill it out. And I did it
01:01:54 14
          and all that stuff. And I told her, I did this paper
01:01:59 15
01:02:02 16
                   This is the third time I did it.
          twice.
01:02:02 17
              Ο.
                    Okay.
01:02:05 18
                    And then I filled it up and gave it to her,
01:02:08 19
          and I kind of mentioned to her a couple of things.
01:02:10 20
                           So I'm going to pause you right there.
              0.
                    Okav.
01:02:12 21
              Α.
                    Okay.
01:02:13 22
              Q.
                    You said you went to her office?
01:02:14 23
              Α.
                    Yes.
01:02:14 24
                    And her office is -- is -- where was it
              Ο.
01:02:18 25
          located, like, in proximity to Patrick's?
```

| - | $^{\circ}$ | _ |
|---|------------|---|
| | _ | • |

| 01:02:21 1 | A. Two offices two, three offices down. |
|-------------|--|
| 01:02:26 2 | Q. And sort of how was her office set up? |
| 01:02:33 3 | A. Her office was a bigger office. You walk in |
| 01:02:40 4 | to the door. You see a desk in front of you, but in |
| 01:02:46 5 | the end you, like, kind of turn right. Her office is |
| 01:02:49 6 | at the end. |
| 01:02:49 7 | Q. Okay. |
| 01:02:50 8 | A. Like, her desk is at the end. |
| 01:02:52 9 | Q. Okay. |
| 01:02:53 10 | A. And she have a board. |
| 01:02:55 11 | Q. And so she asked you to go back to her office? |
| 01:02:58 12 | A. Come to her office and have a seat. |
| 01:03:02 13 | Q. And then that's when she told you there was a |
| 01:03:06 14 | missing form for your licensing? |
| 01:03:08 15 | A. Correct, correct. Something has to do with |
| 01:03:11 16 | licensing, something to do with registration or |
| 01:03:17 17 | something like that. |
| 01:03:17 18 | Q. And when you say "licensing," is that your |
| 01:03:21 19 | state licensing to carry a firearm? |
| 01:03:27 20 | A. I believe so, yeah. |
| 01:03:28 21 | Q. Okay. |
| 01:03:29 22 | A. Because that's the only license that you are |
| 01:03:31 23 | required to very required to have on you during |
| 01:03:38 24 | duty. |
| 01:03:38 25 | Q. Okay. So you go to her office. She says |

there's a form you need to complete. You tell her 01:03:44 1 01:03:48 2 you've already done this a couple of times. 01:03:49 3 Α. Yes. 01:03:50 Ο. Did you complete it again? I did complete it again. 01:03:51 5 Α. And again, this was the exact same day that 01:03:52 01:03:55 you talked to Patrick and he made those comments to you about frying you like a chicken and... 01:03:58 8 01:04:01 Α. Yes, yes. You started to say something that I 01:04:03 10 Ο. 01:04:10 11 interrupted. You said you told her things. What 01:04:14 1 2 did -- what did you tell her? 01:04:14 13 So I mentioned to her a couple of things. 01:04:20 14 of them about the overtime. And I told her I'm asking 01:04:27 15 for overtime and asking her for more hours; I'm in a 01:04:33 16 bad spot for money. And I really to know -- I really 01:04:37 17 need to work and I don't mind anywhere, if you can help me with that. And I told her I think -- I wanted to, 01:04:43 18 01:04:50 19 like, say I'm being discriminated against by my account 01:04:56 20 manager, the way he's talking to me and things like 01:05:07 21 that, and taking hours away from me and losing a lot of 01:05:10 22 overtime because in the beginning when I started with 01:05:13 23 you guys, I was getting all overtime and everything I 01:05:16 24 wanted. But since become account manager, things has

changed around me. And there was no comment over

01:05:22 25

| 01:05:31 1 | anything. Just sign and things like that. And then I |
|-------------|--|
| 01:05:36 2 | had a feeling go ahead. |
| 01:05:38 3 | Q. How long was your conversation with this |
| 01:05:41 4 | woman? |
| 01:05:43 5 | A. Ten minutes, 15, maybe more. |
| 01:05:49 б | Q. And do you know what her title was or is? |
| 01:05:55 7 | A. I think she was in HR. |
| 01:05:58 8 | Q. And so you signed the paperwork, you gave her |
| 01:06:14 9 | some of this information. And then did you just get up |
| 01:06:17 10 | and leave? |
| 01:06:18 11 | A. I signed the probable probable documents |
| 01:06:27 12 | and told her what exactly happened. And I go ahead and |
| 01:06:35 13 | left. I yes, I think I left her office. |
| 01:06:42 14 | Q. Okay. After you left her office, where did |
| 01:06:49 15 | you go? |
| 01:06:50 16 | A. I think home. I think so. |
| 01:06:58 17 | Q. Other than talking to Patrick and talking to |
| 01:07:06 18 | this woman that you think was in HR, did you talk to |
| 01:07:10 19 | anyone else when you were at the branch office that |
| 01:07:13 20 | day? |
| 01:07:14 21 | A. Don't remember. |
| 01:07:16 22 | Q. Did you report any of your conversation with |
| 01:07:24 23 | Patrick to Allied's hotline number at that point? |
| 01:07:33 24 | A. No. |
| 01:07:34 25 | Q. Why not? |

Α. I was afraid -- I was afraid of losing my jobs 01:07:34 1 01:07:38 2 because I was in the really bad spot and I needed that I didn't want him -- I didn't want anybody to 01:07:42 3 retaliate against me. If I say something, he's way 01:07:45 4 higher than me and way powerful than me. I'm just a 01:07:49 5 I might lose my job. And not listen to me, 01:07:52 6 01:07:57 just like what Patrick did to me. If I say something, they're gonna listen to him because he's way above me. 01:08:01 8 So I had to deal with everything just to make my living 01:08:06 9 to feed my family and feed myself. 01:08:09 10 01:08:11 11 Q. Okay. Did you say anything to anyone outside 01:08:24 12 of Allied Universal about that conversation that day? 01:08:26 13 That particular day? I don't remember if I Α. 01:08:36 14 spoke to anybody that particular day. What about a few days after or a week after; 01:08:39 15 01:08:43 16 someone outside of Allied, did you talk to anyone about 01:08:48 17 that day? 01:08:49 18 I do not remember if I spoke to anyone 01:08:56 19 regarding that. 01:08:57 20 Did you write down your interactions in any 01:09:02 21 way? Like, did you make a note or diary for yourself? 01:09:05 22 Α. Right in front of him? No, I did not. 01:09:08 23 What about after the fact? Did you make a Ο. note or a diary for yourself? 01:09:10 24 01:09:13 25 No, I don't -- I don't remember I did anything Α.

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```
labeled AUS 1036 consecutively through 1042.
01:14:12
     1
01:14:21
              Ο.
                    (By Mr. Shine) Have you seen this document
      3
          before?
01:14:23
                    I do not remember.
01:14:23
              Α.
                    On the first page there's a heading that says
01:14:24
          "Security Objective." It's the top heading on the
01:14:31
01:14:34
          upper right-hand side. Do you -- or I'm sorry -- the
          upper left side. Do you see where I'm referring to?
01:14:37
      8
                    Yeah.
01:14:39
              Α.
                    And in reading that first paragraph it
01:14:42 10
               Ο.
01:14:45 11
          identifies that these are post orders for working at an
          H-E-B property. Is that fair to say?
01:14:48 12
01:14:50 13
                    According to the paper, yes.
              Α.
01:14:52 14
                    In the bottom left-hand corner of the page,
               Ο.
          there's a date after the word "revision."
01:14:55 15
01:15:02 16
                          Do you see where I'm referring to?
                    The date, 11/26/2021.
01:15:03 17
              Α.
01:15:06 18
                    Okay.
                          Would you agree with me that 11/26 of
               ο.
01:15:09 19
          2021 was prior to your start date with the company?
01:15:19 20
                    That's before my employment?
              Α.
01:15:20 21
              Q.
                    Correct.
01:15:21 22
              Α.
                    Yeah, yeah.
01:15:21 23
                    If you could turn to the third page, which is
              Ο.
          AUS 1038 or 1,038.
01:15:30 24
01:15:37 25
              Α.
                    Okay.
```

```
Α.
                    Right.
01:16:52
      1
01:16:56
      2
              Ο.
                    -- would you agree that Allied set clear
      3
          expectations for how a security quard was expected to
01:16:58
          react or interact with a shoplifter?
01:17:07
      4
                    According to the paper, yes.
01:17:09
              Α.
                          At the bottom of the -- or still in the
01:17:14
01:17:17
          Shoplifter subheading --
01:17:20
              Α.
                    Yes.
      8
                    -- it's highlighted in yellow. It starts with
01:17:20
               Ο.
          "Officer will in no way detain or handcuff..."
01:17:23 10
01:17:27 11
                          Do you see where I'm referring?
01:17:28 12
              Α.
                    I do see that.
01:17:29 13
                    And it reads, "Officer will in no way detain
              Ο.
01:17:32 14
          or handcuff unless a customer or partner is being
01:17:36 15
          physically assaulted by a suspect."
01:17:40 16
                          Did I read that accurately?
                    Yes, you did.
01:17:45 17
              Α.
01:17:46 18
                    Did anyone go over these post orders with you
01:17:49 19
          before you started at the H-E-B stores?
01:17:56 20
                    Do not remember but this is the policy
          according to the paper. But the -- the incidents, when
01:18:02 21
01:18:08 22
          it happened, the gentleman made a threat to me and I
          acted according to the threat.
01:18:13 23
01:18:15 24
                    We'll get to the incident that you're -- I
              Ο.
01:18:18 25
          think you're referring to.
```

```
Α.
01:18:18
     1
                    Yes.
01:18:19
                    I'm just asking specifically if these post
          orders were reviewed with you prior to you working at
01:18:22
      3
          the H-E-B account.
01:18:26
     4
                    Do not remember.
01:18:27
               Α.
                    If you could flip to what is labeled as
01:18:28
      6
01:18:37
          AUS 1041. At the top of the page, it says,
          "Unacceptable Behaviors." Do you see what I'm
01:18:42
     8
          referring to?
01:18:44
                    You said 41?
01:18:45 10
               Α.
01:18:51 11
               Q.
                    Yes.
01:18:52 12
               Α.
                    Yes, I see that.
01:18:53 13
                    And then on the following page, it says --
          which is AUS 1042, it starts with "failure to meet
01:18:56 14
          grooming standards."
01:19:00 15
01:19:02 16
                          Do you see what I'm referring to?
01:19:03 17
               Α.
                    This page, yes.
01:19:05 18
                    Underneath "failure to meet grooming
               Ο.
01:19:10 19
          standards, " it reads: "Unarmed, regular armed and
01:19:13 20
          Elite officers, beards must be neatly trimmed, clean
01:19:18 21
          necklines and close cropped. No long beards."
01:19:23 22
                          Did I read that correctly?
01:19:30 23
                    Yes, you did.
               Α.
01:19:31 24
                    So again, based on the post orders, an Elite
               Ο.
01:19:33 25
          officer was allowed to have a beard, correct?
```

```
According to this.
      1
               Α.
01:19:36
01:19:41
      2
               Ο.
                    Do you know when you were first assigned to
          work at one of the H-E-B accounts?
      3
01:19:42
01:19:45
      4
               Α.
                    After when I finished my processing, I was --
          immediately started working at H-E-B.
01:19:49
01:19:51
                    Okay. And you don't recall if you reviewed
01:19:55
          these post orders with anyone?
               Α.
                    Don't recall it.
01:19:57
      8
                    Did you receive any training on the post
01:20:00
               Ο.
          orders?
01:20:04 10
                    Do not remember.
01:20:04 11
               Α.
01:20:18 12
                          (Exhibit No. 18 marked.)
01:20:18 13
                     (By Mr. Shine) Twana, I'm handing you a copy
               0.
01:20:27 14
          of an on-the-job checklist that was completed for you
01:20:30 15
          at the time that you started at the H-E-B site
01:20:32 16
          locations.
                        This is --
01:20:33 17
                          MS. HERNANDEZ: Objection; misstates
01:20:35 18
          testimony.
01:20:37 19
                     (By Mr. Shine) It's consecutively labeled
               Ο.
01:20:40 20
          AUS 644 to 652.
                             Have you seen this document before?
                    It looks familiar to me.
01:20:53 2.1
               Δ
01:20:55 22
                    On the first page which is 644, is that your
01:21:00 23
          name listed at the top?
                    Yeah, that is.
01:21:03 24
               Α.
01:21:04 25
                    And is that your handwriting?
               Ο.
```

```
Martin Hernandez? I think he's a supervisor.
01:22:24
      1
               Α.
01:22:33
      2
               0.
                    Okay. And when you're looking at this
      3
          document, Twana, throughout it it requires signatures.
01:22:41
01:22:47
      4
               Α.
                    Yes.
                    Are those your signatures?
01:22:47
               Ο.
                    Not all of them.
01:22:50
      6
               Α.
01:23:25
                    When you say "not all of them," can you give
               ο.
          me an example of a signature that is not yours?
01:23:29
      8
                    For example, this one, page 51, that's not my
01:23:32
              Α.
          signature. Page 52, that is not my signature.
01:23:44 10
01:23:51 11
          this one is not my signature. That's not my signature.
01:24:03 12
                    I'll back you up and we'll start from the very
               Ο.
01:24:05 13
          beginning.
01:24:06 14
               Α.
                    Okay.
                    Please start with 644.
01:24:06 15
               Ο.
01:24:08 16
               Α.
                    644?
                           Okay.
01:24:08 17
                    The very first page.
               Ο.
01:24:08 18
                    Yes.
               Α.
01:24:10 19
                    At the top it says, "Training Name:
               Ο.
01:24:13 20
          Ahmed."
                    That is your handwriting?
01:24:15 2.1
               Α.
                    Yes.
01:24:15 22
               Q.
                    In the middle of the page there's a heading
          titled "Equipment and Uniform" and after it, it's -- at
01:24:18 23
          the very bottom of that heading it says, "Officer
01:24:20 24
01:24:22 25
          understands uniform requirements with a signature.
                                                                        Is
```

```
1
          that your signature?
01:24:25
01:24:40
               Α.
                    No, it's not my signature.
                    In the middle of the page, where it says "SP
01:24:43
      3
               Ο.
01:24:46
     4
          Signature, you're claiming that's not your signature?
                    I don't -- I don't signed like that.
01:24:48
      5
          of like that, no.
01:24:51
      6
01:24:52
                    Is that your initials?
               ο.
                    These are not my initial.
01:24:55
      8
               Α.
                    I am not referring to trainer initials.
01:24:57
               Ο.
          referring to specifically in the middle of the page
01:25:00 10
01:25:02 11
          where it says "SP Signature."
01:25:13 12
               Α.
                    Are you talking about this one (indicating)?
01:25:19 13
               0.
                    Yes.
01:25:22 14
                    I don't -- I don't think that's my signature.
               Α.
01:25:28 15
          I don't really sign like that.
                    Looking at page 645, again, there are multiple
01:25:35 16
               Ο.
01:25:42 17
          times where it asks for "Officer Signature" or "SP
01:25:47 18
          Signature." Do you see where I'm referring to under
01:25:50 19
          each heading?
01:25:51 20
               Α.
                    Yes.
01:25:51 21
               Q.
                    Are those your signatures?
01:25:54 22
               Α.
                    That is my signature. It looks like it.
01:26:09 23
                          The second row and the third row, they
01:26:16 24
          don't look like -- and the fourth row, they don't look
01:26:20 25
          like my signature.
```

| 01:26:23 1 | Q. So are you testifying today that these are not |
|-------------|--|
| 01:26:25 2 | your signature? |
| 01:26:26 3 | A. It doesn't look like my signature. |
| 01:26:28 4 | Q. That's not the question, Twana. |
| 01:26:30 5 | A. Yes, I understand. |
| 01:26:31 б | Q. Something may not look like it, but do you |
| 01:26:34 7 | recall going through an on-the-job training list and |
| 01:26:37 8 | signing off on each of these requirements? |
| 01:26:40 9 | A. Even if I signed them or I didn't sign them |
| 01:26:43 10 | for example, when we were handed out our documents, |
| 01:26:48 11 | there was never given us the opportunity to read them |
| 01:26:51 12 | and review them. Just fill it out, sign it and give it |
| 01:26:56 13 | to us. |
| 01:26:56 14 | Q. Twana, if you could turn back to page 644, |
| 01:27:00 15 | please. |
| 01:27:00 16 | A. Yes, I am. Is it the first page? |
| 01:27:08 17 | Q. Yes. |
| 01:27:09 18 | A. Okay. |
| 01:27:09 19 | Q. Your testimony today is that you were just |
| 01:27:11 20 | handed a document and asked to sign it without |
| 01:27:13 21 | reviewing it? |
| 01:27:13 22 | A. That's correct. |
| 01:27:14 23 | Q. Without going over any of these things with |
| 01:27:16 24 | your supervisor? |
| 01:27:17 25 | A. That's correct. |

So you never reviewed how your shirt was 01:27:17 1 Ο. 01:27:24 2 supposed to be presented? You never reviewed how your pants were supposed to be presented? 01:27:27 3 Α. Well --01:27:29 4 You never reviewed your shoes and socks needed 01:27:30 to be all black? 01:27:32 6 01:27:33 I know that it needs to be all black as the uniform they gave you. If, for example, they gave you 01:27:38 8 a black uniform, you're not gonna go buy a pink uniform 01:27:41 9 01:27:46 10 to wear it. You're supposed to have the proper uniform 01:27:49 11 the company did issue. For example, if they issue you 01:27:50 12 boots, you're not gonna go buy sport boots and have on 01:27:54 13 site. That's unprofessional and it's not part of your 01:27:58 14 uniform. Turning to page 2, which is AUS 645, in the 01:27:59 15 Ο. 01:28:06 16 middle of the page it says "Store Manager Check-In 01:28:09 17 Sheet." You're claiming that's not your signature under "SP Signature"? 01:28:11 18 It don't look familiar to me. 01:28:12 19 Α. 01:28:14 20 So you didn't review how you're supposed to Ο. 01:28:16 21 sign in and out on a sheet? Just sign and check, sign, check, sign, check. 01:28:17 22 Α. 01:28:22 23 You didn't review that you're supposed to Ο. contact the MIC prior to starting your shift? 01:28:24 24 01:28:27 25 I contacted the MIC every time. Α.

| 01:28:32 1 | Q. Because you were trained on it, right? |
|-------------|--|
| 01:28:35 2 | A. No. I do it automatically by myself. I go |
| 01:28:40 3 | introduce myself and because you have to meet the |
| 01:28:43 4 | store manager because |
| 01:28:44 5 | Q. I'm going to stop you because there's no |
| 01:28:46 б | question before you right now. |
| 01:28:48 7 | A. What do you mean? |
| 01:28:48 8 | Q. I didn't ask a question. |
| 01:28:51 9 | A. Okay. |
| 01:28:52 10 | Q. I'm stopping your narrative. |
| 01:28:54 11 | A. Okay. |
| 01:28:55 12 | Q. On page 645 at the bottom, it says |
| 01:28:59 13 | "Patrolling." The first box says, "As soon as you're |
| 01:29:02 14 | logged in and inspected your mobility devise or |
| 01:29:05 15 | equipment, you must conduct an initial patrol." |
| 01:29:08 16 | Again, you're claiming you never got |
| 01:29:10 17 | trained on that? |
| 01:29:11 18 | A. We got told to patrol, that's correct. |
| 01:29:13 19 | Q. And you're stating that's not your signature |
| 01:29:15 20 | under SP Signature? |
| 01:29:16 21 | A. Never reviewed it. Never had the opportunity |
| 01:29:18 22 | to review the documents. |
| 01:29:22 23 | Q. Twana, why would you sign a document if you |
| 01:29:24 24 | didn't review it? |
| 01:29:24 25 | A. Well, if they give us something and say just |

sign and give it to us, sign and give it to us, we're 01:29:26 1 01:29:30 2 gonna do it. That's the problem with the company. 01:29:32 the company give us all these documents -- for example, 3 says, Hey, just sign over here, sign over here, date it 01:29:35 4 and give it to us don't go over it, if I'm reading it 01:29:38 5 one by one, they're gonna say, I told you to sign it 01:29:41 6 01:29:43 and give it to us. So I'm gonna follow whatever the person told me at the company -- employee or supervisor 01:29:46 8 or manager -- whatever he said to do at the time, I'm 01:29:51 9 gonna do it. So... 01:29:55 10 01:29:57 11 So if I go to Martin Hernandez and say, Did 01:30:00 12 you go over this document line by line with Twana, he's 01:30:03 13 going to tell me no? 01:30:04 14 Α. Absolutely. 01:30:06 15 And if I go to Martin Hernandez and get an 01:30:10 16 affidavit from him that says, I went through everything 01:30:13 17 and I personally observed him sign every document, 01:30:16 18 you're still going to sit here and tell me you didn't 01:30:19 19 sign it today? 01:30:19 20 I have never read these documents and had the 01:30:22 21 opportunity to read these documents like this and sign 01:30:25 22 them. On the last page, Twana, on page 652 --01:30:27 23 Ο. 01:30:35 24 Α. Yes. 01:30:35 25 -- in the middle, is that your name, "Twana Ο.

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```
1
          Ahmed"?
01:30:39
                    That's correct.
01:30:39
      2
              Α.
                    Is that your handwriting?
01:30:40
      3
              Ο.
                    Yes, that is.
01:30:41
              Α.
                    Is that your signature after "I, security
01:30:42
01:30:45
      6
          professional"?
01:30:46
                    Are you referring to this one or that one
          (indicating)?
01:30:50
     8
                    After "I, security professional, attest that I
01:30:52
              Ο.
          have been adequately trained in all of the
01:30:54 10
01:30:57 11
          expectations, procedures, and policies as indicated
01:30:59 12
          above, " is that your signature?
01:31:00 13
                    It doesn't match my signature.
                                                        I can't recall
01:31:07 14
          that, if it's my signature. The bottom one, that is my
01:31:11 15
          signature because I sign like this.
01:31:13 16
                    And how are those two signatures different?
              Ο.
01:31:15 17
              Α.
                    It's different because you can see the shape.
01:31:17 18
          It's going up and all that. It is my signature?
01:31:22 19
          can't remember if it's my signature or not.
01:31:23 20
                    Do you sign your name exactly the same every
01:31:28 21
          time you write it?
01:31:28 22
                    Like, write it or sign it? What do you mean?
          Like, if I sign it -- if I write it, maybe or I'd say
01:31:31 23
01:31:37 24
          maybe not. It depends. If somebody's rushing you, you
01:31:41 25
          might be under pressure or rushed, you might sign it
```

```
1
               Α.
                    Maybe yes, maybe no.
01:33:45
01:33:46
      2
               Ο.
                    On page 647, which is the next page, the first
          category is "Shoplifter." Did you sign that?
01:33:51
      3
01:33:56
      4
               Α.
                    Maybe yes, maybe no.
                    The next category says, "Homeless
01:34:13
          Person/Loitering/Suspicious Person or Panhandler."
01:34:19
      6
01:34:24
          you sign that?
                    Maybe yes, maybe no.
01:34:37
      8
               Α.
                    The next topic is "Lost Child or Adult."
01:34:39
               Ο.
01:34:43 10
          you sign that?
01:34:49 11
                    Maybe yes, maybe no. Don't remember on top of
               Α.
01:34:52 12
          my head if I signed it or not.
01:34:55 13
                    The next category says, "Child Alone in Car,"
01:34:59 14
          which carries over onto the next page which is AUS 648,
01:35:04 15
          and there's a signature at the top of the page.
          you sign that?
01:35:07 16
                    Probably yes, probably not.
01:35:11 17
               Α.
                    Which one is it?
01:35:13 18
               Ο.
01:35:14 19
                    Maybe yes, maybe no. I don't -- I don't
               Α.
01:35:17 20
          remember.
                    Is that your signature?
01:35:17 21
               Ο.
01:35:20 22
               Α.
                    The signatures, all of them look different so
          it's making me, like... Maybe yes, maybe no.
01:35:32 23
          sure, honestly.
01:35:46 24
01:35:47 25
                    The next category on 648 says, "Unattended
               Ο.
```

```
1
          Animal in Vehicle." Did you sign that?
01:35:59
01:36:06
      2
              Α.
                    Maybe yes. I don't remember if I signed that.
          I can't recall on top of my head.
01:36:17
01:36:19
      4
              Ο.
                    Is that your signature?
                    It could be, yes, my signature.
01:36:22
      5
               Α.
                    The next category is "Whom to Contact for
01:36:29
      6
               ο.
01:36:37
          Emergencies." Did you sign that?
                    I think so. Not too sure but I think.
01:36:45
      8
              Α.
                    Is that your signature?
01:36:56
              Ο.
01:36:57 10
              Α.
                    Not too sure. Maybe yes, maybe no. Not too
01:37:39 11
          sure.
01:37:39 12
                    On page 650, the first bullet point says
              Ο.
01:38:00 13
          "Practices, take-offs slow down -- I'm sorry.
01:38:04 14
                          Practices take-offs slow to quick,
01:38:06 15
          straight and with wheel turned at 45-degree angle" and
          there's a signature. Is that your signature?
01:38:10 16
01:38:14 17
              Α.
                    Are you referring to page 50?
01:38:17 18
                    650, the very first signature on the page.
              Ο.
01:38:27 19
                    You're referring to this one right here
              Α.
01:38:29 20
          (indicating)?
01:38:31 21
              Ο.
                    Yes.
01:38:32 22
              Α.
                    No, that's not mine.
                    The next signature that's in the middle of the
01:38:33 23
              Ο.
          page where it says, "Practices backing out using body
01:38:38 24
01:38:43 25
          motion and brakes, " is that your signature?
```

```
1
          that.
01:40:29
01:40:31
      2
               Ο.
                    You said no, I don't know, and I don't
      3
          remember.
01:40:35
                            Like, basically, I don't sign like
01:40:35
               Α.
          this, so I don't remember me signing anything like
01:40:39
      5
01:40:42
      6
                  It doesn't ring a bell.
                    On page 652, I know we've talked briefly about
01:40:47
               After your name, Twana Ahmed, that's printed,
01:40:51
      8
          there's a first signature. Is that your signature on
01:40:56
      9
01:41:03 10
          the very last page, 652?
01:41:07 11
              Α.
                    Oh, 652?
01:41:11 12
                    The first signature after your printed name,
               Ο.
01:41:14 13
          Twana Ahmed, is that your signature?
                    This one?
01:41:16 14
               Α.
                          The one --
01:41:17 15
                    No.
               Ο.
01:41:18 16
                    That one?
               Α.
01:41:19 17
                    Yeah.
               Ο.
                    Don't -- don't know.
01:41:24 18
               Α.
01:41:24 19
                    The one below that where it says, "Officer in
               Ο.
01:41:28 20
          Training Signature, " is that your signature?
                    That looks like kind of my signature.
01:41:29 21
               Α.
01:41:32 22
                    So, again, if I get an affidavit from Martin
          Hernandez that says that he personally went through
01:41:54 23
          this with you and observed and watched you sign each of
01:41:57 24
01:42:03 25
          these signatures, is your testimony today still that
```

1 you don't know or that it wasn't you? 01:42:07 01:42:09 Α. I didn't say it wasn't me. I said I don't remember me, like, signing these documents like this. 01:42:12 3 I said that is my signature right here, it looks like 01:42:17 my signature. But these -- like this one specifically, 01:42:20 5 it doesn't ring a bell at all. For example, this one, 01:42:24 6 01:42:30 absolutely not. The difference between this and this, it's a big difference. So that one, absolutely not. 01:42:50 8 Would it be odd to you to have a document that 01:42:58 Ο. you signed in some spots but not others, Twana? 01:43:02 10 01:43:05 11 Α. I don't know. I could -- maybe I forgot to 01:43:08 12 sign this. Let's say, for example, I signed that, I 01:43:11 13 signed this, I had signed this. Let's say he gave me 01:43:15 14 I give you this documents. Just hit the documents. 01:43:20 15 check, check, check, check, check. Sign here, 01:43:22 16 sign here, sign here. Maybe I forgot a couple of boxes. He went back to the office -- it was not an 01:43:26 17 office. He went back to the office to review the 01:43:30 18 01:43:32 19 Oh, okay, you're missing a signature? 01:43:35 20 me sign instead of him instead of me going back in the 01:43:38 21 field, if I done this in the field. You're speculating, right? 01:43:41 22 Q. 01:43:43 23 What do you mean speculating? What do you Α. 01:43:44 24 mean by speculating? You have no idea whether or not someone signed 01:43:45 25 Ο.

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1 your name on your behalf, right? 01:43:48 01:43:50 Α. It'd be a possibility. Why not? But you have no personal knowledge of anyone 01:43:51 3 Ο. signing your name on this document? 01:43:55 4 I'm not saying I don't have a personal 01:43:57 knowledge. 01:43:59 6 01:44:00 Ο. So what personal knowledge do you have, Twana? Who signed your name that wasn't you? 01:44:03 8 I didn't say sign name. I said it could be or 01:44:05 Α. maybe there was a box left open. I forgot to sign it 01:44:08 10 01:44:12 11 when they -- let's say if it happens in the field, I 01:44:15 12 filled out this paper, I forgot a box open. 01:44:19 13 scratched it like this instead of coming back in the 01:44:21 14 field and having me sign it. That's a possibility it 01:44:24 15 can happen too. If they don't want you to read the 01:44:27 16 documents, to review the documents and go over the 01:44:31 17 documents, what makes you not think they can sign it? Absolutely. If they give you all these documents --01:44:35 18 01:44:40 19 I'm just going to cut you off. Ο. There's no 01:44:42 20 question before you right now. 01:44:43 21 No, but --Α. 01:44:44 22 Q. I'm asking you to stop talking. There's no question presented. You do not need to give a 01:44:47 23 narrative response right now. 01:44:49 24 01:44:50 25 MS. HERNANDEZ: He was -- he's allowed to

| 01:47:04 1 | Q. This paragraph alleges a shoplifting in April |
|-------------|--|
| 01:47:09 2 | of 2022 at the H-E-B store, correct? |
| 01:47:12 3 | A. Yes. |
| 01:47:16 4 | Q. What specific date did this alleged |
| 01:47:23 | shoplifting happen? |
| 01:47:30 | A. Which store are you talking about |
| 01:47:32 7 | specifically? |
| 01:47:32 | Q. I'm asking you. Your complaint says: Not |
| 01:47:36 | long afterward in April of 2022, the Kurdish guard is |
| 01:47:42 10 | stationed at an H-E-B grocery store on duty. The H-E-B |
| 01:47:44 11 | store manager sends the guard a text message with some |
| 01:47:47 12 | pictures of the man in of a man in the store. |
| 01:47:50 13 | A. Are you talking about the |
| 01:47:51 14 | Q. What date did this happen? |
| 01:47:53 15 | A. Don't remember the specific date. It happened |
| 01:47:56 16 | on a city it happened on Bellaire. The city of |
| 01:48:02 17 | Bellaire, at the H-E-B I was working over there. I |
| 01:48:06 18 | don't remember the exact date. |
| 01:48:08 19 | Q. This paragraph also identifies a store manager |
| 01:48:12 20 | sending you a text message. Who was the store manager? |
| 01:48:16 21 | A. Sent me a text message and a phone call. |
| 01:48:18 22 | Q. And what was the store manager's name? |
| 01:48:20 23 | A. Keevin. Kevin. Something like that. |
| 01:48:27 24 | Q. What's Kevin's last name? |
| 01:48:30 25 | A. I do not know his last name. |

| 01:48:32 1 | Q. | What does Kevin look like? |
|-------------|----------|--|
| 01:48:33 2 | Α. | White male, black hair. |
| 01:48:44 3 | Q. | How tall? |
| 01:48:45 4 | A. | 5'7" approximately. |
| 01:48:51 5 | Q. | And how old? |
| 01:48:53 6 | A. | Early 40s, if not less. |
| 01:49:02 7 | Q. | Did he have any facial hair? |
| 01:49:05 8 | A. | I don't think he had facial I don't |
| 01:49:10 9 | remember | |
| 01:49:10 10 | Q. | And you said he texted you and he called you? |
| 01:49:14 11 | Α. | Yes. |
| 01:49:15 12 | Q. | Which did he do first? |
| 01:49:17 13 | Α. | I think the text messages. |
| 01:49:22 14 | Q. | And what time did you receive the first text |
| 01:49:26 15 | message? | |
| 01:49:26 16 | Α. | Don't remember the time. |
| 01:49:28 17 | Q. | What time did you start your shift? |
| 01:49:32 18 | Α. | I don't remember what time was my shift that |
| 01:49:48 19 | day. | |
| 01:49:48 20 | Q. | Did you work a set schedule? |
| 01:49:50 21 | A. | No. Sometimes some posts 11:00 in the |
| 01:49:54 22 | morning. | Sometimes 10:00. Sometimes 4:30. It depends |
| 01:49:58 23 | on the p | ost. Sometimes 12-hour shift, sometimes 8-hour |
| 01:50:04 24 | shift. | It depends on the post. |
| 01:50:13 25 | Q. | You said he called you? |

```
Yes, he did call me.
01:50:15
      1
              Α.
01:50:16
      2
              0.
                    What time did he call you?
                    At around the same time that he texted me.
01:50:21
      3
              Α.
01:50:29
      4
              Ο.
                    And what store were you working at?
                    The one in Bellaire.
01:50:35
      5
              Α.
01:50:37
      6
                    Do you know the address?
              Ο.
01:50:38
              Α.
                    No.
                    Is there more than one H-E-B store in
01:50:38
      8
              Ο.
          Bellaire?
01:50:42
      9
01:50:42 10
              Α.
                    I think -- I don't know.
                                                  I think maybe one.
01:50:46 11
          I'm not sure. Maybe two. Not sure. That's the one
01:50:49 12
          I'm aware of that I worked in.
01:50:51 13
                    At the time you were working, were you the
          only Allied security quard assigned at that location?
01:50:55 14
                    On that particular day, I was the only one
01:51:02 15
              Α.
01:51:05 16
          scheduled to be there. Was it in a morning shift?
01:51:10 17
          don't know. But I was the only one, at the incident
01:51:12 18
          time, that was there.
01:51:32 19
                          (Exhibit No. 19 marked.)
01:51:32 20
                    (By Mr. Shine) Twana, I'm handing you a copy
              Ο.
01:51:34 21
          of a text message that you provided in discovery which
          is labeled AhmedAllied 594 and AhmedAllied 595.
01:51:37 22
01:51:44 23
                          At the top of the text message it says
          "MIC Kevin." Do you see where I'm referring to?
01:51:46 24
01:51:49 25
              Α.
                    Yes, yes.
```

```
What does MIC Kevin mean to you?
      1
01:51:50
               Ο.
01:51:53
      2
               Α.
                     Kevin is the manager. MIC, I think a manager,
          store manager. Don't know what exactly MIC stands for
01:51:57
01:52:02
          but I think it's something with a manager.
01:52:04
               0.
                     Is this the Kevin that you were referring
01:52:07
      6
01:52:07
                     Yeah.
               Α.
                     -- that we just talked about?
01:52:07
      8
               Ο.
01:52:09
               Α.
                     Yes, I am.
                     Do you see there's a little, sort of, M in an
01:52:10 10
               Q.
01:52:21 11
          orange circle and it says, "If on property, he needs to
01:52:24 12
          leave."
                    Do you see where I'm referring to?
01:52:26 13
               Α.
                     Yes.
01:52:26 14
               Ο.
                     Is that Kevin texting you?
01:52:28 15
               Α.
                     Yes.
01:52:28 16
                     And on page 595, at the bottom there's the
01:52:36 17
          text "Attempted beer theft." Do you see where I'm
01:52:39 18
          referring to?
01:52:40 19
                     Yeah, I am.
               Α.
01:52:40 20
               Ο.
                    And there's a time stamp. What time stamp is
          listed?
01:52:45 21
01:52:45 22
               Α.
                     4:50 p.m.
01:52:48 23
                     Is 4:50 p.m. the time that he texted you about
               Ο.
          this particular alleged shoplifting?
01:52:54 24
01:52:56 25
                     Yes, according to the paper, of course.
               Α.
```

| 01:52:59 1 | Q. What time did he call you? |
|-------------|---|
| 01:53:01 2 | A. He called me probably after the incident |
| 01:53:06 3 | sorry. Not after the incident. After sending these |
| 01:53:09 4 | pictures. |
| 01:53:11 5 | Q. Okay. Are there more text messages that you |
| 01:53:17 6 | received from Kevin that day? |
| 01:53:18 7 | A. Don't remember. Most of the after this, |
| 01:53:33 8 | most of it was done like on the phone as he's back on |
| 01:53:39 9 | the property and things like that. |
| 01:53:39 10 | Q. Sure. On this day when he sent you to your |
| 01:53:43 11 | knowledge, these are the only texts that he sent you? |
| 01:53:45 12 | A. I think so. Not too sure. It could be |
| 01:53:48 13 | there's more. Not too sure. |
| 01:53:49 14 | Q. So would you agree with me that he never asked |
| 01:53:52 15 | you to stop and detain this individual? |
| 01:53:54 16 | A. Excuse me? Say repeat your question again. |
| 01:53:57 17 | Q. Would you agree with me that these text |
| 01:54:01 18 | messages do not say stop and detain this gentleman, |
| 01:54:04 19 | correct? |
| 01:54:05 20 | A. The text messages, according over here, it |
| 01:54:09 21 | doesn't say that. But it doesn't mean |
| 01:54:11 22 | Q. The text message does not say push him against |
| 01:54:14 23 | a wall, right? |
| 01:54:15 24 | A. The text message doesn't say that. |
| 01:54:17 25 | Q. The text message doesn't say put your hands on |

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```
him, right?
     1
01:54:19
01:54:20
               Α.
                    The text message didn't say that. I don't
01:54:23
      3
          see --
01:54:23
               Ο.
                    The text message doesn't say to handcuff him,
          right?
01:54:26
      5
                    I don't see that.
01:54:26
               Α.
01:54:27
                    Where were you when you received these text
               Ο.
01:54:29
     8
          messages?
                    I was patrolling the property in the patrol
01:54:29
              Α.
01:54:32 10
          car.
01:54:33 11
                    Where specifically were you located on the
               Q.
01:54:35 12
          property?
01:54:35 13
                    I think below the second floor of the
          property, patrolling the premises of the project.
01:54:38 14
01:54:43 15
          garage and parking lot.
                    And you were in a patrol car, you say?
01:54:46 16
               Ο.
01:54:48 17
                    I was in a patrol car, yes.
01:54:51 18
                    When you say "patrol car," is that the Allied
               Ο.
01:54:58 19
          Universal car that you spoke of earlier?
01:54:59 20
                    That is correct.
               Α.
01:54:59 21
               Ο.
                    After you received these text messages, what
01:55:02 22
          did you do?
01:55:03 23
               Α.
                    He called me. He says they are -- we kicked
01:55:05 24
          them out of the store. They are back with a couple
          guys -- a couple, two or three.
01:55:11 25
                                                They are shoplifting.
```

| 01:55:17 1 | They are stealing beer and merchandise from the store. |
|-------------|--|
| 01:55:21 2 | Can you come inside the store? |
| 01:55:24 3 | Q. So looking at the text messages, on page 594 |
| 01:55:31 4 | and 595, would you agree that that's a picture of the |
| 01:55:39 5 | same person in all four pictures? |
| 01:55:42 6 | A. Yeah, yeah, they are. |
| 01:55:43 7 | Q. And you said that Kevin told you there were |
| 01:55:45 8 | more guys than just one? |
| 01:55:46 9 | A. Yes. |
| 01:55:48 10 | Q. And you said two or three. Was it two? |
| 01:55:51 11 | A. Two or three. Because this group they're |
| 01:55:58 12 | usually a group of three. |
| 01:55:59 13 | Q. And you testified that he asked you to come |
| 01:56:00 14 | into the store? |
| 01:56:04 15 | A. Yes. Why would he text me this if he doesn't |
| 01:56:07 16 | want me inside the store? |
| 01:56:08 17 | Q. I have no clue, Twana. |
| 01:56:10 18 | A. Yeah. He texted me. |
| 01:56:12 19 | Q. Did you enter the store? |
| 01:56:13 20 | A. I did, of course. |
| 01:56:14 21 | Q. Where did you enter the store? |
| 01:56:15 22 | A. I went I went around in the patrol car. |
| 01:56:19 23 | Went to the second floor. I parked on the second floor |
| 01:56:23 24 | by the second second gate and I went to the store. |
| 01:56:29 25 | He pointed them out to me. |

| 7 | 6 | 1 |
|---|---|---|
| | n | 4 |

| 01:56:31 1 Q. And where were they when you first made a | an | | | | |
|---|----------------------|--|--|--|--|
| | 211 | | | | |
| 01:56:33 2 observation of them? | observation of them? | | | | |
| O1:56:34 3 A. They were loading beer, cases of alcohol, | , in | | | | |
| 01:56:41 4 the carts. | | | | | |
| 01:56:41 5 Q. How many carts were there? | | | | | |
| 01:56:42 6 A. One. | | | | | |
| 01:56:43 7 Q. And how many guys did you see? | | | | | |
| O1:56:47 8 A. The guy was loading, he was one person. | | | | | |
| 01:56:50 9 Q. Was there anyone else around him? | | | | | |
| 01:56:53 10 A. Around this guy? No, there was not. Dor | ı't | | | | |
| 01:56:58 11 remember if there was somebody else around him at | the | | | | |
| 01:57:00 12 time. | | | | | |
| 01:57:00 13 Q. How many cases of beer did you see him lo | pad | | | | |
| 01:57:03 14 into a cart? | | | | | |
| 01:57:04 15 A. I don't remember how many. | | | | | |
| 01:57:05 16 Q. More than one? | | | | | |
| 01:57:07 17 A. Yes. | | | | | |
| 01:57:08 18 Q. More than three? | | | | | |
| 01:57:09 19 A. It could be. | | | | | |
| 01:57:11 20 Q. And by "case," how many beers were in the | 9 | | | | |
| 01:57:15 21 case? | | | | | |
| O1:57:15 22 A. Don't remember. | | | | | |
| 01:57:16 23 Q. Was it a six-pack? | | | | | |
| O1:57:20 24 A. Don't remember. | | | | | |
| 01:57:25 25 Q. Was it a 12-pack? | | | | | |

```
Don't remember how many. I didn't pay
01:57:29
      1
              Α.
01:57:31
      2
          attention to the merchandise of the -- too much
          attention to the merchandise in the carts.
01:57:34
      3
01:57:35
                    But you saw this gentleman in the photo of 594
          loading beer into a cart?
01:57:39
                    Yes, opening the fridge and putting alcohol,
01:57:41
      6
01:57:46
          wine, liquor, or beer in the carts.
                    Did you take a picture of the cart?
01:57:49
      8
              Ο.
                    I believe so.
01:57:53
              Α.
                          (Exhibit No. 20 marked.)
01:58:20 10
01:58:20 11
              Q.
                    (By Mr. Shine) Twana, I'm handing you a
01:58:22 12
          document that -- or a photo that you provided in
01:58:25 13
          discovery labeled AhmedAllied 588.
01:58:29 14
                          Is this the cart that you saw the
          gentleman putting stuff into?
01:58:31 15
01:58:32 16
              Α.
                    Yes.
01:58:33 17
                    And where are the cases of beer you saw him
01:58:37 18
          putting into the cart?
01:58:38 19
                    After, when opened the fridge, he loaded it in
              Α.
01:58:44 20
                      Wine, beer, whatever you want to call them.
          the cart.
          But it was alcohol.
01:58:52 21
01:58:52 22
                    So which -- which cart was he loading?
          one in front?
01:58:55 23
01:58:56 24
              Α.
                    The one by his hand.
01:58:57 25
                    Oh, the one back here next to the other
               Ο.
```

```
gentleman?
      1
01:58:59
01:59:00
      2
               Α.
                     That's him.
                                    That's the same person.
                     Right. So I see the gentleman in the freezer.
01:59:04
      3
               Ο.
01:59:08
      4
               Α.
                     Yes.
                     That's who you're referring to, right?
01:59:08
      5
               Ο.
                     Are you talking about this guy?
01:59:10
      6
               Α.
01:59:11
                     Yeah.
               Ο.
                     Yeah, that's him, yeah.
01:59:12
      8
               Α.
                     If you look at page 594 and 588 together, the
01:59:13
               0.
01:59:23 10
          gentleman in page 594 is wearing a plaid coat, correct?
01:59:28 11
               Α.
                     Which plaid coat? A jacket, you mean?
01:59:33 12
               Ο.
                     Yes.
01:59:34 13
                     Yes.
               Α.
                     In 588 the person that's reaching into the
01:59:34 14
               Ο.
01:59:38 15
          freezer is wearing the plaid coat, correct?
                     This guy is what you mean?
01:59:41 16
               Α.
01:59:43 17
                     The guy reaching into the freezer?
               ο.
01:59:45 18
                     It's the same guy in this picture.
               Α.
01:59:47 19
                             And so which cart is he loading up with
               Ο.
                     Okay.
01:59:50 20
          cases of beer?
                     The one he was pushing in his hand.
01:59:51 21
               Α.
01:59:54 22
               Q.
                     He's not pushing a cart. His hands are in the
01:59:58 23
          freezer, Twana.
01:59:59 24
                     Well, whatever he's grabbing on, that's what I
               Α.
02:00:02 25
          can see.
```

```
So what cart was his?
02:00:02
      1
              Ο.
02:00:03
      2
              Α.
                    I believe the cart, it was in his hand.
      3
          Whatever he's grabbing on, that's his cart.
02:00:08
                    On page 588, would you agree with me that
02:00:11
          there are two people in the middle of the photograph?
02:00:18
02:00:21
      6
          There's a person bending over in the freezer or
02:00:24
          refrigerator --
              Α.
                    Oh.
02:00:24
     8
                    -- and there's a person standing with a cart.
02:00:25
              Ο.
02:00:27 10
              Α.
                    Oh, sorry. I did not see the other person.
02:00:30 11
          When you said bend over -- bending over, now I --
02:00:33 12
          that's the second person. I did not know that's a
02:00:35 13
                    I thought it was -- I thought it was that
          person.
02:00:39 14
          boxes.
02:00:39 15
                          Yes, he's bending -- sorry. He's bending
          over to load the carts, and the other guy is pushing
02:00:43 16
02:00:46 17
          the carts; that is correct.
                    So this cart that's in the front, that has
02:00:47 18
02:00:50 19
          maybe a six-pack and a couple of bottles of wine,
02:00:53 20
          that's not the quy's cart?
                    I don't remember if that's his cart or not,
02:00:57 21
02:00:59 22
          but they were working together.
                    And how many cases of beer are in that cart in
02:01:00 23
              Ο.
          the back where the guy is bending over? How many cases
02:01:04 24
02:01:07 25
          of beer do you see in there?
```

| 02:01:08 1 | A. I don't remember. I can't I can't tell. | | |
|-------------|---|--|--|
| 02:01:09 2 | Q. But you testified that you saw him loading the | | |
| 02:01:11 3 | cart up with cases of beer. | | |
| 02:01:13 4 | A. Yeah. Loading it when I mean loading it, | | |
| 02:01:16 5 | not to the top, like, loading, putting beer. That's | | |
| 02:01:20 6 | loading. | | |
| 02:01:20 7 | Q. So in that back cart, look really closely and | | |
| 02:01:24 8 | tell me how many cases of beer you see. | | |
| 02:01:27 9 | A. I can't tell. It's kind of dark. | | |
| 02:01:28 10 | Q. And you're saying that these two people were | | |
| 02:01:38 11 | working together? | | |
| 02:01:39 12 | A. Yes. | | |
| 02:02:31 13 | Q. So when you got to this aisle where the guys | | |
| 02:02:35 14 | were, what did you do? | | |
| 02:02:37 15 | A. Continue to watching them and see what they | | |
| 02:02:40 16 | do. | | |
| 02:02:40 17 | Q. How old, do you know approximately, they were? | | |
| 02:02:44 18 | A. How old? Kind of old. | | |
| 02:02:50 19 | Q. What's "kind of old" mean to you? | | |
| 02:02:55 20 | A. Over over 55. | | |
| 02:03:03 21 | Q. Okay. | | |
| 02:03:04 22 | A. 50. You can say not too old but kind of old, | | |
| 02:03:11 23 | getting old. | | |
| 02:03:11 24 | Q. And did you talk to these guys at that point? | | |
| 02:03:17 25 | A. No, I did not approach them. | | |

| 7 | 6 | Ω |
|---|---|---|
| | n | 9 |

| 02:03:19 1 | Q. You didn't say anything to them? | | |
|-------------|--|--|--|
| 02:03:22 2 | A. At that time, specific time, no, I did not. | | |
| 02:03:27 3 | Q. So then what did you do? | | |
| 02:03:28 4 | A. I just observed them. Because they already | | |
| 02:03:34 5 | been told to leave the store. And they were in back. | | |
| 02:03:38 6 | Just waiting for them. They maybe have they're | | |
| 02:03:41 7 | gonna pay. Maybe they brought money, they left and | | |
| 02:03:44 8 | brought money and they pay and they're gonna be normal | | |
| 02:03:49 9 | customers. You never know. So I just waited. | | |
| 02:03:51 10 | Q. So did you take this photograph, which is 588, | | |
| 02:03:56 11 | at the first time you observed them? | | |
| 02:03:58 12 | A. Yeah, I believe so, yeah. | | |
| 02:04:00 13 | Q. So you observed them for how long did you | | |
| 02:04:06 14 | observe them? | | |
| 02:04:06 15 | A. Don't I don't remember for how long. But I | | |
| 02:04:11 16 | did observe them, keep my eyes on them. | | |
| 02:04:13 17 | Q. After that observation I mean, was it more | | |
| 02:04:19 18 | than five minutes? | | |
| 02:04:20 19 | A. I don't know. | | |
| 02:04:22 20 | Q. Was it more than ten minutes? | | |
| 02:04:26 21 | A. Maybe. Maybe ten minutes, maybe more, maybe | | |
| 02:04:34 22 | less. Not more than 20. | | |
| 02:04:35 23 | Q. Did they say anything to you at that point? | | |
| 02:04:39 24 | A. At that particular time, no. | | |
| 02:04:41 25 | Q. Do you know if they saw you? | | |

```
1
               Α.
                    I don't know.
                                      I think they saw me.
02:04:45
               Ο.
                    So after they left this aisle, where did they
02:04:56
      3
02:04:59
          qo?
02:04:59
               Α.
                    I don't remember where exactly they went.
                                                                      Ι
          think they were leaving the -- leaving the store.
02:05:16
02:05:24
      6
          think.
                   Not too sure.
                    Did you keep eyes on them the whole time?
02:05:26
                    I don't remember if I kept eyes on them the
02:05:31
      8
               Α.
          whole time.
02:05:48
      9
                    So when did you first interact with them?
02:05:48 10
               Q.
02:05:58 11
                    I interacted with one, not both.
               Α.
02:06:01 12
                    So which one did you interact with?
               Ο.
02:06:06 13
                    The guy with the hat.
               Α.
                     In looking at 588, both gentlemen are wearing
02:06:09 14
               Ο.
02:06:18 15
                   Which one are you referring to?
          a hat.
                    The -- both -- 588?
02:06:21 16
               Α.
                                           They both not wearing
02:06:28 17
          hats.
                  One of -- this is the only person who's wearing
                   I don't remember --
02:06:30 18
          a hat.
02:06:32 19
                    So looking at page 594, this is the gentleman
               Ο.
          that you said you interacted with?
02:06:36 20
                    This one (indicating).
02:06:38 21
               Α.
02:06:40 22
               Q.
                    And where did you interact with him?
                    By the door. When he went over -- when he
02:06:42 23
               Α.
          went -- when he went around the counter.
02:06:44 24
02:06:46 25
                             I have not been to this location.
               Ο.
                    Okay.
                                                                     So
```

```
where is the door located?
      1
02:06:50
02:06:52
      2
               Α.
                     They have multiple doors.
                     So which door did he go to?
02:06:53
      3
               Ο.
                     Second floor by the electrical stairs.
02:06:56
      4
               Α.
                             You said he went around the counter.
02:07:05
      5
               Ο.
02:07:08
      6
          What counter are you talking about?
02:07:09
                     Paying -- paying counter. Cashier.
                                                                 You can--
          that's what they refer to.
02:07:11
      8
                     Was he pushing a cart at that point?
02:07:12
               Ο.
02:07:15 10
               Α.
                     Yes.
02:07:15 11
                     Which cart was he pushing?
               Q.
02:07:17 12
               Α.
                     The one he took the stuff.
02:07:19 13
                     Is that cart represented in the picture
               Ο.
          labeled 588?
02:07:22 14
02:07:23 15
               Α.
                     Yeah, that cart, yeah.
02:07:25 16
                     Which cart?
               Ο.
02:07:26 17
               Α.
                     The cart they have in their hands.
                     The one in the back, in the middle of the
02:07:28 18
               Ο.
02:07:33 19
          picture, right?
02:07:34 20
                     Are you referring to this or that one
               Α.
02:07:37 21
          (indicating)?
02:07:38 22
               Q.
                     That's what I'm asking for you to clarify.
02:07:40 23
               Α.
                     This one. I'm talking about this one.
02:07:42 24
                     Okay. So the one that --
               0.
02:07:43 25
                     I don't know --
               Α.
```

| 02:07:44 1 | Q is closer to the two gentleman, right? | | |
|-------------|--|--|--|
| 02:07:45 2 | A. Yes. I don't I don't know if that's their | | |
| 02:07:47 3 | cart or not. I don't remember that. It could be | | |
| 02:07:49 4 | theirs. It could be not. I don't know that. But | | |
| 02:07:51 5 | that's the cart they holding, so that is the cart they | | |
| 02:07:54 6 | have. | | |
| 02:07:54 7 | Q. And you saw the gentleman with the hat, in the | | |
| 02:07:58 8 | blue checkered jacket, walk around the register? | | |
| 02:08:04 9 | A. Yes. | | |
| 02:08:04 10 | Q. Pushing a cart? | | |
| 02:08:05 11 | A. Yes. | | |
| 02:08:06 12 | Q. At that point how many what was in his | | |
| 02:08:10 13 | cart? | | |
| 02:08:11 14 | A. Drinks, alcohol, food. That's what I | | |
| 02:08:20 15 | remember. How much they were worth, I'm not too sure. | | |
| 02:08:22 16 | I didn't price it up. I didn't check the price. | | |
| 02:08:24 17 | Q. Did you watch him walk around the corner or | | |
| 02:08:28 18 | walk around the counter? | | |
| 02:08:29 19 | A. Yeah, yeah. These are the register, | | |
| 02:08:36 20 | self-checkouts, a box, Register 1, 2, 3, 4, whatever. | | |
| 02:08:40 21 | 10, 15, they've got cashiers. He comes and goes around | | |
| 02:08:43 22 | all these cashiers and tried to exit without paying. | | |
| 02:08:48 23 | Q. And you watched him the full way? | | |
| 02:08:50 24 | A. Yes, because I was by the door watching him. | | |
| 02:08:53 25 | Q. Where was the other guy? | | |

| 02:08:54 1 | A. The other guy left the store because the other | | |
|-------------|--|--|--|
| 02:08:57 2 | guy's a lookout. | | |
| 02:09:03 3 | Q. You testified earlier that there might have | | |
| 02:09:04 4 | been three people. Where's the third guy? | | |
| 02:09:06 5 | A. There are usually three, for my last | | |
| 02:09:08 6 | experience with them before this one. | | |
| 02:09:10 7 | Q. Okay. But at this time, was there two or | | |
| 02:09:12 8 | three? | | |
| 02:09:12 9 | A. Two, but the third one I did not observe. It | | |
| 02:09:16 10 | could be somewhere in the property. | | |
| 02:09:17 11 | Q. But you have no idea? | | |
| 02:09:19 12 | A. Huh? | | |
| 02:09:20 13 | Q. You have no idea? | | |
| 02:09:21 14 | A. I didn't observe him, the third person; but | | |
| 02:09:25 15 | there are usually three. But what I saw that day, two. | | |
| 02:09:29 16 | Q. So how did you first approach him? | | |
| 02:09:36 17 | A. I was by the door. I was, like, Hey, you need | | |
| 02:09:41 18 | to pay. You need to go back to the lane. You need to | | |
| 02:09:46 19 | pay. He was in the carts, he was you can smell the | | |
| 02:09:49 20 | odor of alcohol coming out of his mouth. Completely | | |
| 02:09:53 21 | intoxicated. Made a verbal threat towards me and I | | |
| 02:09:57 22 | acted on that threat. | | |
| 02:09:58 23 | Well, before that, the manager told me | | |
| 02:10:01 24 | not to let them leave. | | |
| 02:10:03 25 | Q. How did the manager tell you that? | | |

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| 02:10:05 1 | A. Don't let them leave the property with the | | |
|-------------|--|--|--|
| 02:10:08 2 | item. | | |
| 02:10:08 3 | Q. And how did he how did he communicate that | | |
| 02:10:13 4 | to you? | | |
| 02:10:13 5 | A. Physically, like, face-to-face. | | |
| 02:10:15 6 | Q. Was the manager with you during this | | |
| 02:10:19 7 | observation? | | |
| 02:10:19 8 | A. He stand behind the register on the other | | |
| 02:10:24 9 | side. I was the only one in the in the front. | | |
| 02:10:27 10 | Before before before I go up there and all that, | | |
| 02:10:31 11 | like, before they get close, he pointed and was like, | | |
| 02:10:35 12 | Don't let them leave. Don't let them leave. I was | | |
| 02:10:38 13 | like, Okay. | | |
| 02:10:39 14 | Q. So he told you orally don't let them leave, or | | |
| 02:10:42 15 | he just pointed at you and you | | |
| 02:10:42 16 | A. He said | | |
| 02:10:44 17 | Q interpreted that as don't let them leave? | | |
| 02:10:46 18 | A. No, No. It's not I interpreted that. The | | |
| 02:10:49 19 | length of distance between me and him, it was not that | | |
| 02:10:53 20 | far. | | |
| 02:10:53 21 | Q. Great. How far was it? | | |
| 02:10:54 22 | A. 5 feet. It could be 5 feet or it could be | | |
| 02:10:57 23 | less. He said to me, He's coming around. If they | | |
| 02:11:03 24 | attempted to leave, don't let them leave; don't let | | |
| 02:11:06 25 | them take the merchandise. | | |

| 02:11:07 1 | I was like, okay. So I gave them they | | |
|-------------|--|--|--|
| 02:11:09 2 | came up he came up to me, one of them. I didn't see | | |
| 02:11:12 3 | the second one. The second one left. | | |
| 02:11:14 4 | Q. Right. You said the guy with the hat, the guy | | |
| 02:11:17 5 | in the blue jacket, right? | | |
| 02:11:18 6 | A. Correct, correct. | | |
| 02:11:19 7 | Q. Okay. So when he came up to you and you said, | | |
| 02:11:21 8 | You need to pay for that, what did he say? | | |
| 02:11:23 9 | A. He refused to pay for it. He goes like, Move | | |
| 02:11:27 10 | out of move. He came towards me with the carts. He | | |
| 02:11:30 11 | said, I will cut you up. So I took it as a threat to | | |
| 02:11:37 12 | cut you up. He has a knife or something on him, so | | |
| 02:11:40 13 | Q. Did he say he had a knife on him? | | |
| 02:11:42 14 | A. He said, I will cut you up. | | |
| 02:11:45 15 | Q. Okay. But did he specifically say, I have a | | |
| 02:11:47 16 | knife? | | |
| 02:11:47 17 | A. Would you mind if I finish the whole thing | | |
| 02:11:50 18 | so | | |
| 02:11:50 19 | Q. Did he specifically say, I have a knife? | | |
| 02:11:52 20 | A. Yes, he said that. Let me finish, please. | | |
| 02:11:55 21 | Q. Did he show you said knife? | | |
| 02:11:56 22 | A. He did not pull out a knife. | | |
| 02:11:58 23 | Q. Where were his hands during the interaction, | | |
| 02:12:01 24 | Twana? | | |
| 02:12:01 25 | A. One of them was in the carts. | | |

| 02:12:03 1 | Q. Where was the other one? | | |
|-------------|--|--|--|
| 02:12:04 2 | A. I believe on the side area. I don't believe | | |
| 02:12:05 3 | both of | | |
| 02:12:06 4 | Q. Side area of what? | | |
| 02:12:07 5 | A. His jacket or something. | | |
| 02:12:09 6 | Q. But you were observing him the whole time, | | |
| 02:12:11 7 | right? | | |
| 02:12:11 8 | A. I was observing him, yes. | | |
| 02:12:12 9 | Q. Okay. | | |
| 02:12:13 10 | A. I was watching him eye to eye. And he was | | |
| 02:12:17 11 | completely intoxicated. And he says, I will cut you up | | |
| 02:12:21 12 | if you don't move out of my way. | | |
| 02:12:23 13 | That's when I acted for a safety reason | | |
| 02:12:25 14 | to protect myself and protect the employees and | | |
| 02:12:29 15 | management and the customers of H-E-B at that time. | | |
| 02:12:34 16 | Q. Sure. So did he physically attack you? | | |
| 02:12:37 17 | A. He came up to me with the carts in an | | |
| 02:12:40 18 | aggressive way. | | |
| 02:12:41 19 | Q. What do you mean by "aggressive"? | | |
| 02:12:42 20 | A. When somebody's, like, aggressive, like comes | | |
| 02:12:44 21 | towards you with the carts. Before I interacted with | | |
| 02:12:47 22 | him, he saw me by the door. He knows I'm gonna | | |
| 02:12:49 23 | approach him and talk to him. | | |
| 02:12:51 24 | Q. How do you know that? | | |
| 02:12:51 25 | A. What? | | |

| 02:12:52 1 | Q. How do you know he knows |
|-------------|--|
| 02:12:52 2 | A. Because |
| 02:12:53 3 | Q that you're going to approach him? |
| 02:12:55 4 | A. Because I dealt with him before and they got |
| 02:12:57 5 | arrested because of me before in a different property. |
| 02:13:00 6 | Q. Okay. |
| 02:13:00 7 | A. The same group. So they know me very well. |
| 02:13:04 8 | And they know I |
| 02:13:05 9 | Q. But that day, you're saying he knew you were |
| 02:13:08 10 | going to talk to him? |
| 02:13:09 11 | A. Because he saw me by the door and he looked at |
| 02:13:12 12 | me. He saw me clearly by the door, the glass door. He |
| 02:13:15 13 | saw me very well. |
| 02:13:16 14 | Q. And when you say he came up to you |
| 02:13:17 15 | aggressively, what does that mean? |
| 02:13:19 16 | A. Aggressively, like when you see somebody just |
| 02:13:22 17 | come up to them with the carts, attempted to hit them |
| 02:13:25 18 | in the carts. |
| 02:13:25 19 | Q. Did he touch you with the cart? |
| 02:13:28 20 | A. I don't remember if he touched me touched |
| 02:13:32 21 | me with the carts, but he came towards me with the |
| 02:13:35 22 | carts. |
| 02:13:35 23 | Q. Okay. And so when he aggressively came |
| 02:13:42 24 | towards you, did he do any other gestures towards you? |
| 02:13:47 25 | A. When he made the threat, I realized he was |

```
1
          completely intoxicated.
                                     He's not in his full mindset.
02:13:52
02:13:56
     2
         You never know what this person's capable -- capable
               So I used the proper force to detain him according
02:14:00
     3
          to Allied Universal guidelines and instructions and
02:14:11
02:14:15
         policy.
                   Are you a corporate representative for Allied?
02:14:16
              Ο.
02:14:20
              Α.
                   I'm not a corporate representative for --
                   So do you know what Allied's policy --
02:14:23
     8
              Ο.
                   The policy says it's -- the policy says if
02:14:25
              Α.
          somebody makes a threat towards you or anything like
02:14:28 10
02:14:31 11
          that, use the probable -- probable force.
                                                         So the
02:14:36 12
         person is -- for example, if that person left the
02:14:39 13
         property and he has -- I took the item away and he's
02:14:46 14
         not in full his mindset, I don't know if he's walking
02:14:48 15
          out and there's an 80-years-old -- older woman, he's
02:14:52 16
          gonna grab a knife and stab her and take her car.
          they're gonna be like, Where were you? Why didn't you
02:14:56 17
         do something?
02:14:59 18
                          That's one.
02:15:02 19
                         Two, if he goes back, grab a gun -- he's
02:15:06 20
          so pissed off that I took his liquor away. He's gonna
02:15:11 21
         come back and I'm patrolling or the manager is inside,
         he's gonna come and shoot somebody in the head and kill
02:15:11 22
02:15:14 23
          somebody. And that's when I'm gonna be in trouble in
02:15:16 24
         both ways.
02:15:17 25
                         So the proper way is contact -- have him
```

```
here, stand over here, call the proper authority.
02:15:20
      1
02:15:24
      2
          proper authority will come and deal with him in the
          legal matter. So it's not gonna be under my
02:15:27
      3
02:15:30
      4
          responsibility. Why did you not did this or why did
          you do this. And both ways, I did not acted alone,
02:15:32
      5
02:15:36
      6
          like, by myself.
                              I was told what to do by the property
02:15:39
                     If I didn't do what the property manager told
          me to do, I'd be in trouble too. Like, why did you
02:15:42
      8
          didn't listen to him.
02:15:47
                    Do you work for H-E-B?
02:15:48 10
              Ο.
                    I'm hired by Allied Universal to --
02:15:49 11
              Α.
02:15:54 12
                    Correct. So Allied Universal was your
              Ο.
02:15:56 13
          employer, right?
02:15:57 14
              Α.
                    Correct.
                    So Allied Universal's policies and procedures
02:15:57 15
              Ο.
          controlled your employment, right?
02:16:01 16
02:16:02 17
              Α.
                    Correct.
02:16:03 18
                    And we just went through the post orders
              Ο.
02:16:05 19
          together, right?
02:16:06 20
              Α.
                    Right.
02:16:06 21
              Ο.
                    And it says do not touch a shoplifter,
02:16:09 22
          correct?
02:16:10 23
              Α.
                    Does H-E-B has those post orders and
          management's aware of that? Absolutely looks like not.
02:16:14 24
02:16:18 25
          Why did they contact me? Why would he contact me and
```

I am -- I am aware of the law very clearly in 02:17:30 1 Δ 02:17:31 2 the State of Texas. Great. What's the Texas penal code that 02:17:31 3 Ο. 02:17:33 you're referring to? I'm gonna -- I don't know the penal code 02:17:34 02:17:36 6 exactly by my head. 02:17:37 So how are you trained in the penal code, 02:17:39 Twana? 8 I have been in the security business for --02:17:39 Α. for a period of time. There are things you learn 02:17:41 10 02:17:43 11 within your experience. For example, when I'm wearing 02:17:46 1 2 a uniform, the State of Texas says I'm a public 02:17:51 13 servant. If you assault me, it means you assaulted a 02:17:53 14 police officer, you'll be charged as a -- charged a 02:17:58 15 police officer. That's in the State of Texas law. 02:18:00 16 What's the law code? I have no idea. 02:18:02 17 So you're saying anytime a security guard that 02:18:04 18 works for a private company is assaulted, the police 02:18:07 19 are going to charge them as assaulting a police 02:18:10 20 officer? That's what the law is. That's in the 02:18:10 2.1 Α. Yes. 02:18:14 22 State of Texas. 02:18:15 23 I'm glad you're so confident, Twana. Ο. 02:18:17 24 Α. That is the law. It's a --02:18:23 25 So going back to the relevant issue here, did Ο.

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```
this man physically touch you in any way?
     1
02:18:25
02:18:27
              Α.
                    He came up to me aggressively.
                    Did he physically touch you in any way?
02:18:30
      3
              Ο.
                    He made a threat towards me.
02:18:32
              Α.
                    Did he physically touch you in any way?
02:18:34
     5
              Ο.
                    He made a threat towards me.
02:18:36
      6
              Α.
02:18:38
                          MR. SHINE: Counsel, please advise your
          client to answer the question. He's clearly being
02:18:40
     8
          evasive.
02:18:42
02:18:43 10
                          THE WITNESS:
                                          I'm not.
02:18:44 11
              Q.
                    (By Mr. Shine) The question is:
                                                          Did he
02:18:45 12
          physically touch you? Yes or no?
                    He came up to me with the carts, the pushing
02:18:47 13
                   Attempted to assault me with the pushing cart,
02:18:49 14
          so I act on it. It was -- it was a threat.
02:18:52 15
02:18:58 16
                          MR. SHINE: Your client is not answering
02:18:59 17
          the question. And if he's going to continue to be
02:19:02 18
          evasive --
02:19:03 19
                                            He's trying to answer --
                          MS. HERNANDEZ:
02:19:03 20
                                      -- we'll go to the Court.
                          MR. SHINE:
                          MS. HERNANDEZ: -- to the best of his
02:19:05 21
02:19:06 22
          ability.
02:19:06 23
                          MR. SHINE:
                                       It's not.
                                                    It's a simple yes
          or no, Counsel. If he's refusing or continuing to be
02:19:08 24
02:19:11 25
          evasive, I will go to Judge Rosenthal.
```

```
02:19:11
      1
                          MS. HERNANDEZ: Are you refusing to
02:19:13
      2
          answer?
                          THE WITNESS: I'm answering all his
02:19:14
      3
02:19:15
     4
          questions.
                                      The question simply is:
02:19:16
                    (By Mr. Shine)
02:19:18
      6
          he physically touch you?
02:19:20
                    You cannot -- some questions you cannot ask
          them -- answer them by yes or no. It's impossible to
02:19:21
     8
02:19:26
     9
          ask somebody yes or no, some stuff.
02:19:27 10
                          MS. HERNANDEZ: Do you understand what he
02:19:28 11
          means by "physically"?
02:19:29 12
                          THE WITNESS:
                                         No.
02:19:31 13
                          MR. SHINE: We're going to stop.
02:19:33 14
          going to take a break. Go off the record, please.
                          THE VIDEOGRAPHER: Off the record at
02:19:36 15
02:19:38 16
          2:19.
03:07:52 17
                          (Off the record 2:19 p.m. to 3:07 p.m.)
03:08:14 18
                          THE VIDEOGRAPHER:
                                               Back on the record at
03:08:19 19
          3:07.
03:08:22 20
                    (By Mr. Shine) Twana, before we took a break,
03:08:26 21
          there was a question that was posed to you with respect
03:08:28 22
          to this guy that was allegedly shoplifting, right? And
          the question was: Did he touch you or physically touch
03:08:33 23
03:08:38 24
          you in any way? So I'm going to ask the same question.
03:08:42 25
          Did he touch you that day?
```

| 03:08:43 1 | A. I do not remember. | | |
|-------------|---|--|--|
| 03:08:44 2 | Q. You stopped him, right, from leaving the | | |
| 03:08:58 3 | store? | | |
| 03:08:58 4 | A. I was told to stop him and I asked the I | | |
| 03:09:10 5 | asked him when he was leaving the store to I gave | | |
| 03:09:17 6 | him the opportunity to pay for the items or leave the | | |
| 03:09:21 7 | items and leave the premises of the property and the | | |
| 03:09:26 8 | store. | | |
| 03:09:26 9 | Q. Okay. But you stopped him at some point, | | |
| 03:09:31 10 | right? | | |
| 03:09:31 11 | A. Correct. | | |
| 03:09:34 12 | Q. And when you stopped him, he was still inside | | |
| 03:09:37 13 | the store, right? | | |
| 03:09:38 14 | A. What do you mean, "inside the store"? Like, | | |
| 03:09:53 15 | inside the store or in the property? What exactly, | | |
| 03:09:56 16 | like | | |
| 03:09:56 17 | Q. Inside the store. | | |
| 03:09:57 18 | A. I think so. By the exit. | | |
| 03:10:08 19 | Q. Okay. But he hadn't he had not exited the | | |
| 03:10:13 20 | store at that point, right? | | |
| 03:10:14 21 | A. I don't remember exactly if he was outside | | |
| 03:10:36 22 | outside of the store. He was in the store area. | | |
| 03:10:39 23 | Q. Okay. So where were you? Were you inside the | | |
| 03:10:45 24 | store or outside the store? | | |
| 03:10:46 25 | A. I was by the gate, by the door, the entrance | | |

or the exits of the store. 03:10:51 1 03:10:52 2 Ο. Right. So you testified previously that you had entered the store when the manager asked you to 03:10:53 3 come inside, right? 03:10:56 4 03:10:58 5 Α. Yes. And then you observed these gentlemen and 03:10:58 6 followed him as he went towards the registers, right? 03:11:00 I went towards the door after that. 03:11:04 8 Right. And you stood inside the store at that 03:11:06 Ο. 03:11:10 10 point, right? I was not inside the store, like, physically 03:11:10 11 Α. 03:11:12 12 inside the store. I was by the gate. Because there's 03:11:17 13 a metal barrier, glass. I was by the metal barrier or 03:11:20 14 the glass. 03:11:21 15 Ο. Okay. And you said he approached you with a shopping cart, right? 03:11:27 16 03:11:29 17 Α. Yeah, that's correct. 03:11:29 18 And you said he approached you aggressively. Ο. 03:11:33 19 Your words, right? 03:11:34 20 Α. Yes. Can you again describe what you mean by 03:11:34 21 Ο. 03:11:37 22 "aggressively"? 03:11:37 23 Coming towards me with the carts after I asked Α. him to -- like, approached him, went up to him or after 03:11:41 24 03:11:44 25 he saw me.

| 03:11:46 1 | Q. And when he didn't follow your directions, | |
|-------------|--|--|
| 03:11:48 2 | what did you do? | |
| 03:11:49 3 | A. He made the threat, and I acted on the threat. | |
| 03:11:56 4 | Q. When you say "he made the threat," what are | |
| 03:11:58 5 | you talking about? | |
| 03:11:59 6 | A. "I'm gonna cut you up. Move out of my way." | |
| 03:12:02 7 | Q. Okay. And again, he never showed you a knife, | |
| 03:12:06 8 | right? | |
| 03:12:06 9 | A. He didn't pull anything out, like, physically | |
| 03:12:09 10 | show me or anything like that, no. | |
| 03:12:11 11 | Q. Okay. And when again, he refused to stop | |
| 03:12:17 12 | on your directions. You said you acted, right? What | |
| 03:12:20 13 | did you do? | |
| 03:12:26 14 | A. Detained him. | |
| 03:12:29 15 | Q. And what do you mean by "detained him"? | |
| 03:12:35 16 | A. Put in handcuffs, attempt to put handcuffs on | |
| 03:12:39 17 | him. | |
| 03:12:39 18 | Q. So putting him in handcuffs or attempting to | |
| 03:12:42 19 | put him in handcuffs, to me, means two different | |
| 03:12:46 20 | things. What did you do? | |
| 03:12:48 21 | A. Because I I didn't complete the handcuffs | |
| 03:12:50 22 | hundred percent when law enforcement showed up. Like, | |
| 03:12:54 23 | he was I'm putting handcuffs on him, the police | |
| 03:12:58 24 | showed up behind me exactly. They were there very fast | |
| 03:13:01 25 | to respond back. Faster than I ever thought about. | |

| 1 | Ω | 7 |
|-----|---|---|
| - 1 | റ | |

| 03:13:04 1 | Q. Were you the one that called the police? |
|-------------|---|
| 03:13:07 2 | A. No, I did not. |
| 03:13:08 3 | Q. Do you know who called the police? |
| 03:13:10 4 | A. The manager. |
| 03:13:11 5 | Q. When you say "the manager," is that Kevin you |
| 03:13:15 6 | were talking about earlier? |
| 03:13:17 7 | A. I believe so. There were multiple managers. |
| 03:13:19 8 | Which one called 9-1-1? Not too sure. |
| 03:13:22 9 | Q. Okay. And what police department arrived? |
| 03:13:26 10 | A. Local police department. |
| 03:13:29 11 | Q. I'm not sure what local means. I'm not from |
| 03:13:31 12 | the area. Can you tell me what local means to you? |
| 03:13:33 13 | A. Whatever jurisdiction of police department |
| 03:13:36 14 | that area in, that particular agency showed up. |
| 03:13:39 15 | Whatever agency will patrol that area. |
| 03:13:41 16 | Q. Okay. So in your experience, what agency |
| 03:13:44 17 | paroles that area? |
| 03:13:45 18 | A. Well, since it's a different city, it's not |
| 03:13:47 19 | HPD, it's it's a B police department. So, Bellaire |
| 03:13:52 20 | Police Department, I believe they showed up. |
| 03:13:54 21 | Q. And when you said you were attempting to place |
| 03:13:57 22 | him in handcuffs when the police arrived, what do you |
| 03:14:01 23 | mean by "attempting"? |
| 03:14:02 24 | A. Because I was putting handcuffs on him and |
| 03:14:08 25 | on one of the hand, and he was, like, resisting. You |
| | 1 |

```
03:14:11
      1
          know, not cooperative. And I had to attempt to put the
          other one handcuffs on. The police showed up not
03:14:18
      2
          completely on, and police took him away immediately.
03:14:24
03:14:27
               Ο.
                    How many police officers showed up?
                    On top of my head, I don't have a knowledge
03:14:35
          of -- don't remember exactly. Maybe three, maybe two.
03:14:38
      6
03:14:46
                    After this incident occurred, Twana, did you
          complete an incident report?
03:14:51
      8
                    I was never given the opportunity to do a
03:14:52
               Α.
03:14:58 10
          police -- sorry -- incident report.
                          (Exhibit No. 21 marked.)
03:15:20 11
03:15:20 12
                    Twana, I'm handing you a copy of an incident
               Ο.
03:15:23 13
          report that you completed after this incident.
03:15:25 14
          you agree --
03:15:25 15
                          MR. SHINE: This is, for the record,
          AUS 671 through AUS 674.
03:15:28 16
03:15:34 17
               Ο.
                     (By Mr. Shine) On the first page, 671, do you
03:15:37 18
          see in the middle where it says "Name"?
03:15:38 19
               Α.
                    Yes.
03:15:39 20
                    That is your name?
               0.
03:15:40 21
               Α.
                    Yes.
03:15:40 22
               Q.
                    Is that your handwriting?
03:15:41 23
              Α.
                    Yes.
03:15:42 24
                    Is that your phone number?
               Q.
03:15:43 25
               Α.
                    Yes.
```

| 03:15:43 1 | Q. Above your name, does it say date of incident |
|-------------|---|
| 03:15:46 2 | of April 4th, 2022? |
| 03:15:47 3 | A. Yes. |
| 03:15:47 4 | Q. Does it say date of incident reported |
| 03:15:51 5 | April 4th of 2022? |
| 03:15:52 6 | A. 4/4/22, yes. |
| 03:15:55 7 | Q. Again, is it your testimony today that you |
| 03:15:57 8 | were never given an opportunity to complete an incident |
| 03:15:59 9 | report? |
| 03:15:59 10 | A. Not this incident report I'm talking about. |
| 03:16:01 11 | I'm talking about a complete incident report. |
| 03:16:03 12 | Q. I'm asking if you completed an incident |
| 03:16:06 13 | report. And your testimony today was, no, you were |
| 03:16:09 14 | never given the opportunity; is that correct? |
| 03:16:10 15 | A. Which incident report that you're talking |
| 03:16:13 16 | about specifically? Because there was supposed to be |
| 03:16:16 17 | two or three incident reports. |
| 03:16:18 18 | Q. Okay. |
| 03:16:18 19 | A. This is, I believe, one of them. |
| 03:16:20 20 | Q. At the bottom of page 671, does it identify an |
| 03:16:24 21 | address of where the incident took place? |
| 03:16:30 22 | A. Are you talking about 5106? |
| 03:16:32 23 | Q. Yes. What is the complete address? |
| 03:16:34 24 | A. B-I-S-S-O-N-N-G-T Street. |
| 03:16:42 25 | Q. If I said 5106 Bissonnet Street, does that |

1 make sense to you? 03:16:46 03:16:47 Α. Bissonnet does rig a bell. Bissonnet Street, 03:16:50 3 yes. Okay. And again, this is your handwriting, 03:16:50 correct? 03:16:59 5 Best of my -- yeah, that is. 03:16:59 Α. 03:17:01 If you could turn your page to the next page, Again, it's a Use of Force Incident Report. 03:17:06 8 that your handwriting? 03:17:14 Yeah, it is. 03:17:15 10 Α. 03:17:15 11 So again, your testimony today was that you Q. 03:17:20 12 were never given an opportunity to complete an incident 03:17:22 13 Is that still true? report. 03:17:23 14 A report of exactly what happened, I didn't do 03:17:26 15 a report like that, explain my situation. I was never 03:17:30 16 given the opportunity to do an actual detailed report. This is just saying fill this out. It doesn't say what 03:17:33 17 happened, what's going on, why did you do it, why did 03:17:38 18 03:17:41 19 you not do it. 03:17:41 20 If you could turn to page 674, which Great. is the last page, Twana. This again says "Employee 03:17:45 21 Statement." Is there a date attached to this 03:17:48 22 statement? 03:17:51 23 03:17:52 24 Α. Yes. What date is attached? 03:17:52 25 Ο.

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```
Are you talking about the last page?
      1
                Α.
03:17:53
03:17:59
      2
                Q.
                      Yes.
                      4/4/22.
03:17:59
      3
                Α.
                      And is that your handwriting?
03:18:01
      4
                Ο.
                      That is my handwriting.
03:18:02
      5
                Α.
                      And where it says employee information, does
03:18:03
      6
                Ο.
03:18:06
           that say "Twana Ahmed"?
                      Right here?
03:18:08
      8
               Α.
03:18:09
                Ο.
                      Yes.
03:18:10 10
                Α.
                      Yes.
03:18:10 11
                      Is that your phone number?
                Q.
03:18:14 12
                Α.
                      Yes.
03:18:14 13
                      And again, there's a handwritten portion in
                Ο.
03:18:16 14
           the middle of that page, right?
03:18:17 15
                             That's when it says H-E-B?
                Α.
03:18:19 16
                0.
                      Yes.
03:18:19 17
                Α.
                      Yes.
                      Great. Please read that for me.
03:18:20 18
                Ο.
03:18:22 19
                      I can't see it clearly.
                Α.
03:18:24 20
                      But you would agree that's your handwriting,
                Ο.
03:18:27 21
           right?
03:18:27 22
                Α.
                      That is my handwriting, yes.
                      So I'm going to ask that you try to read it
03:18:29 23
                Ο.
03:18:32 24
           for me.
03:18:32 25
                      I can't -- I cannot see it clearly what it
                Α.
```

```
03:18:35
     1
                 Too blurry.
          says.
03:18:38
              Ο.
                    Then please read along while I read it aloud
03:18:44
      3
          for you.
                    Okay. All I --
03:18:45
              Α.
                    It says: "H-E-B MIC Kevin" -- there's an I --
03:18:45
          "texted me on my post side phone about couple quys.
03:18:51
      6
03:18:58
          They are attempted to S-T-A-I merchandise from the
          store. He said already kicked store. The might come
03:19:07
     8
          back again. He called me back few minutes later."
03:19:19
          illegible. "He" -- again illegible -- "come inside the
03:19:35 10
03:19:40 11
          store. Keep your eyes on them" -- illegible -- "back
03:19:49 12
          inside the store. They have a basket full of alcohol
03:19:59 13
          and beer."
03:20:01 14
                          Is that a fair and accurate reading of
03:20:03 15
          what it says?
03:20:04 16
                    That's accurate.
              Α.
03:20:05 17
                    Okay. And you completed this -- this
              Ο.
          statement on April 4th of 2022, right?
03:20:07 18
03:20:10 19
                    I did not complete the report. I did write
              Α.
03:20:19 20
          this, you are correct; but I did not give --
03:20:21 21
                    You completed this statement, Twana, on
03:20:23 22
          April 4th of 2022, correct?
03:20:24 23
                    Yeah, correct.
              Α.
03:20:25 24
                    And nowhere in this statement does it say
              Ο.
03:20:28 25
          anything about the guys allegedly having a knife,
```

| 03:20:30 1 | right? |
|-------------|---|
| 03:20:30 2 | A. I was never given the opportunity to finish |
| 03:20:33 3 | the report. |
| 03:20:34 4 | Q. Of course. Nowhere in the report does it say |
| _ | |
| 03:20:42 5 | that one of the guys allegedly tried to cut you, right? |
| 03:20:46 6 | A. I was it doesn't say in here because I was |
| 03:20:48 7 | never given the opportunity to finish it. |
| 03:20:50 8 | Q. Who didn't give you the opportunity to finish |
| 03:20:52 9 | it. |
| 03:20:52 10 | A. Alex. |
| 03:20:53 11 | Q. And why didn't he give you the opportunity |
| 03:20:55 12 | A. He was rushing me because he was just: Do |
| 03:20:57 13 | this, do this. You need to be in the office tomorrow. |
| 03:21:00 14 | You've been taken off schedule. You need to come to |
| 03:21:03 15 | meet the account manager. |
| 03:21:04 16 | Q. Everything during your employment with Allied |
| 03:21:06 17 | was a rush? You never took the time to slow down and |
| 03:21:09 18 | actually do what you were supposed to do? |
| 03:21:11 19 | A. If they rush you, they rush you |
| 03:21:13 20 | MS. HERNANDEZ: Objection; argumentative. |
| 03:21:17 21 | Q. (By Mr. Shine) Did you ever attempt to |
| 03:21:18 22 | supplement this document? |
| 03:21:19 23 | A. What do you mean by "supplement"? |
| 03:21:20 24 | Q. Write an additional statement. |
| 03:21:22 25 | A. I tried. |

```
When?
03:21:23
      1
                Ο.
03:21:23
      2
                Α.
                      The same day.
                      With who?
03:21:25
      3
                Ο.
                      With Alex.
03:21:25
      4
                Α.
                      And even if Alex said, No, you can't do it,
03:21:27
      5
                Ο.
           why didn't you write it yourself?
03:21:30
      6
03:21:31
                Α.
                      I didn't have the paper.
                                                     He took the paper.
                      Did you not have paper available at home?
03:21:34
      8
                Ο.
                      No, I did not.
03:21:36
                Α.
03:21:37 10
                Q.
                      Did you have a cell phone?
03:21:38 11
                      A personal cell phone?
                Α.
03:21:40 12
                      Yes.
                Ο.
03:21:40 13
                      I do have a personal cell phone.
                Α.
03:21:42 14
                Ο.
                      Can you send text messages on a personal cell
03:21:45 15
           phone?
03:21:45 16
                Α.
                      Yes.
03:21:45 17
                      Can you write emails on a personal cell phone?
                Ο.
03:21:48 18
                      Yes.
                Α.
03:21:48 19
                      Can you write notes on your personal cell
                Q.
03:21:50 20
           phone?
03:21:50 21
                Α.
                      Yes.
03:21:50 22
                Q.
                      So you could have written yourself another
           statement, right?
03:21:52 23
03:21:53 24
                Α.
                      Yes.
03:21:53 25
                      But you chose not to, right?
                Ο.
```

```
It's not I chose not to. What different would
      1
               Α.
03:21:55
03:21:58
      2
          it make if I wrote one and given to Allied?
      3
          different because the decision's already made.
03:22:01
03:22:02
      4
               Ο.
                     On this document you never identified that any
03:22:06
      5
          of these guys attacked anyone, right?
03:22:08
      6
                     I didn't say attacked, no.
03:22:09
                     On this statement you never identified that
               ο.
          anyone threatened anyone, right?
03:22:14
      8
                     At this particular document?
03:22:16
               Α.
03:22:18 10
               Q.
                     The document you wrote after the incident
          occurred, correct?
03:22:20 11
03:22:20 12
               Α.
                     This one, yes.
03:22:23 13
                     You said you think Bellaire PD showed up,
               0.
03:22:31 14
          right?
03:22:31 15
               Α.
                     Yes.
                     And are you aware if Bellaire PD also wrote a
03:22:32 16
               Ο.
03:22:37 17
          report?
03:22:37 18
               Α.
                     I believe so. Of course.
03:22:55 19
                           (Exhibit No. 22 marked.)
03:22:55 20
                     (By Mr. Shine) Twana, I'm handing you a copy
               Ο.
03:22:58 21
          of the Bellaire PD report that you provided in
03:23:01 22
          discovery which is consecutively labeled AhmedAllied
          526 through 540.
03:23:07 23
03:23:10 24
                          Have you seen this document before?
03:23:12 25
                     I think so.
               Α.
```

If you could turn to page 529 for me. 03:23:12 1 Ο. 03:23:26 2 Α. 529? Yes, it's on 529. And at the top of the page there's a heading 03:23:30 3 Ο. 03:23:33 4 that says "Narrative." Do you see where I'm referring 03:23:36 5 to? You're talking about right here? 03:23:36 6 Α. 03:23:43 Ο. 529. 529. Narrative? 03:23:45 8 Α. Okay. 03:23:52 Ο. Do you see where it says "Narrative" at the 03:23:57 10 top of the page? 03:23:58 11 Α. Yeah. 03:23:58 12 Can you please read that narrative to yourself Ο. 03:24:00 13 and look up when you're finished. 03:24:29 14 Α. Okay. 03:24:29 15 Based on your review of that narrative, is it fair to say that the men were stopped before they 03:24:33 16 03:24:40 17 exited the store? 03:24:41 18 According to this, yes. 03:24:43 19 Also in reference to the narrative that you've Ο. 03:24:50 20 reviewed, it says that both were charged with public intoxication, right? 03:24:53 21 03:24:54 22 Α. That's correct. If you can turn to page 540, which is the last 03:24:54 23 Ο. There's a narrative that starts at the top of 03:25:00 24 page. 03:25:25 25 It says, "Suspect and his companion..." the page.

```
you see where I'm referring to?
      1
03:25:27
03:25:28
      2
              Α.
                    Yes.
                                 "Suspect and his companion were
03:25:29
      3
                    It reads:
               Ο.
          known shoplifters by H-E-B management and security.
03:25:32
      4
          H-E-B called police to wait for suspects to leave
03:25:36
      5
                   An over zealous security officer jumped the gun
03:25:40
      6
          and did not wait for suspects to pass final point of
03:25:43
          payment before confronting suspects."
03:25:48
      8
                          Is this a fair and accurate reading of
03:25:50
      9
          what is listed in that narrative?
03:25:52 10
03:25:53 11
              Α.
                    No.
03:25:54 12
                    What did I misstate?
               Ο.
03:25:55 13
                    They didn't -- they went over the counter and
              Α.
03:25:58 14
          I was told to stop them.
03:25:59 15
                    The question was: Did I read it accurately
              Ο.
03:26:01 16
          from the page?
03:26:02 17
                        Yeah, you did, yeah.
03:26:04 18
                    If you could turn back to page 527, please.
               Ο.
03:26:29 19
          In the middle of the page there's a heading that says
03:26:32 20
          "Offense Information." Do you see where I'm referring
03:26:34 21
          to?
03:26:34 22
              Α.
                    Yeah, I see that.
                    And what were these individuals charged with
03:26:42 23
              Ο.
          based on the police report?
03:26:44 24
03:26:45 25
                    Drunk, like, public intoxication because --
              Α.
```

03:26:52 1 Fair to say they were not charged with Ο. 03:26:56 2 shoplifting? Because H-E-B refused to press charges on 03:26:56 3 Α. The officer asked the manager, and the manager 03:27:00 4 They said, Okay, we're 03:27:04 5 didn't want to press charges. gonna take him on public intoxication if you don't want 03:27:04 6 03:27:10 to charge him for that, since we're already here. But the question was: What were they charged 03:27:10 8 Ο. And you responded, "public intoxication," 03:27:12 03:27:14 1 0 correct? 03:27:15 11 Α. That is correct, yeah. 03:27:17 12 Fair to say they were not charged with Ο. 03:27:20 13 shoplifting? 03:27:21 14 That is correct. Α. If you need to review the police report in its 03:27:21 15 entirety, please do so. But is it fair to say that 03:27:24 16 03:27:28 17 nowhere in the police report does it identify that a 03:27:30 18 weapon was recovered? 03:27:31 19 It doesn't say that. Α. 03:27:32 20 And nowhere does the police report identify Ο. 03:27:35 21 that a knife was recovered, right? 03:27:37 22 Α. Right. And did you have an opportunity to talk to the 03:27:37 23 03:27:43 24 Bellaire PD? I don't remember. 03:27:44 25 Α.

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| 03:27:49 1 | Q. After Bellaire PD took the guys into custody |
|-------------|--|
| 03:27:57 2 | for public intoxication, what did you do next? |
| 03:28:01 3 | A. When they put them in the car, they stayed to |
| 03:28:09 4 | price the item and try to see how much is it. It's up |
| 03:28:18 5 | to the manager. Told them, Can you ring these items up |
| 03:28:22 6 | and tell us the total amount they were stealing? And |
| 03:28:26 7 | the manager came back with a receipt of the item. And |
| 03:28:29 8 | he went up to him and says, Do you want to press |
| 03:28:32 9 | charges on them? And the manager says, No. The |
| 03:28:35 10 | officer says, Okay. Are you sure? He responded Yes, |
| 03:28:41 11 | we don't want to press charges. He says, Okay. We're |
| 03:28:44 12 | gonna take them anyway for public intoxication. They |
| 03:28:47 13 | are drunk. They put them in the car and charged them |
| 03:28:51 14 | with public intoxication and took them. |
| 03:28:52 15 | Q. I appreciate you giving me a narrative of what |
| 03:28:55 16 | Bellaire PD did. I'm asking what you did. |
| 03:29:03 17 | After Bellaire PD placed the individuals |
| 03:29:06 18 | in custody |
| 03:29:07 19 | A. Right. |
| 03:29:07 20 | Q what did you do? |
| 03:29:09 21 | A. I went back to my I can't recall exactly. |
| 03:29:13 22 | I went back to my official duties. |
| 03:29:18 23 | Q. Did you call anyone within Allied Universal? |
| 03:29:22 24 | A. I can't recall. I don't remember. |
| 03:29:24 25 | Q. Did you text anyone within Allied Universal? |

| | г | |
|------------|----|--|
| 03:29:26 | 1 | A. I do not remember. |
| 03:29:33 | 2 | Q. At some point did Alex show up? |
| 03:29:36 | 3 | A. Yes. |
| 03:29:36 | 4 | Q. What time did he show up? |
| 03:29:38 | 5 | A. After the incident. When exactly, not too |
| 03:29:45 | 6 | sure. |
| 03:29:45 | 7 | Q. Was it as they were being arrested? |
| 03:29:48 | 8 | A. No. After. |
| 03:29:48 | 9 | Q. Was it five minutes after? |
| 03:29:51 | 10 | A. Longer. |
| 03:29:55 | 11 | Q. Ten minutes after? |
| 03:29:57 | 12 | A. Longer. Maybe an hour, two hours but not too |
| 03:30:01 | 13 | sure when exactly, a specific time. Maybe an hour and |
| 03:30:06 | 14 | a half or two hours. But it was before my shift. I |
| 03:30:08 | 15 | was still on the clock and I was still patrolling. But |
| 03:30:12 | 16 | when exactly, not too sure. I cannot give you a |
| 03:30:14 | 17 | specific time. |
| 03:30:14 | 18 | Q. Did you talk to Patrick Freeney that night? |
| 03:30:18 | 19 | A. I don't think so. No. |
| 03:30:21 2 | 20 | Q. Did you talk to Alex that night? |
| 03:30:23 | 21 | A. Yes, I did talk to Alex. |
| 03:30:28 2 | 22 | Q. Okay. |
| 03:30:28 2 | 23 | A. I tried I tried to explain things to Alex. |
| 03:30:31 | 24 | They don't want to listen. It looks like the decision |
| 03:30:36 | 25 | already had been made in the office. So come up to the |

office. You're not on schedule. And they will talk to 03:30:39 1 03:30:45 2 you at the office. That's all. So when Alex showed up, the first thing he 03:30:45 Ο. said to you was you're off the schedule, go to the 03:30:48 office? 03:30:50 5 He says you are off the schedule. You need to 03:30:51 6 03:30:53 go to the office tomorrow, early as you can. They want to -- account manager would like to speak -- wants to 03:30:57 8 03:31:01 9 talk to you. 03:31:04 10 And that's what exactly happened. to the next -- they took me off schedule. 03:31:06 11 supposed to work the next day. I was not on schedule, 03:31:09 12 and I went to the office. 03:31:11 13 03:31:15 14 And Alex had you fill out those forms that 03:31:19 15 night, right? 03:31:20 16 Whatever he gave me, I did fill it up, yeah. Α. 03:31:34 17 THE REPORTER: I'm sorry. I'm having a 03:31:36 18 hard time hearing you. Whatever he gave me, I filled out and -- tried 03:31:37 19 03:31:39 20 to fill out and complete it. 03:31:41 21 Ο. (By Mr. Shine) Did you talk to anyone else 03:31:43 22 from Allied that night? 03:31:44 23 I don't remember exactly. Α. 03:31:47 24 Why did Alex show up at the site? Ο. I think Patrick told him to. I think. 03:31:49 25 Α. Not

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| 03:31:55 1 | too sure. Or the company send them whatever, the |
|-------------|--|
| 03:32:00 2 | reason he was there for. |
| 03:32:02 3 | Q. Why would the company send him to the site? |
| 03:32:04 4 | A. I have no idea. |
| 03:32:05 5 | Q. Why would Patrick Freeney send him to the |
| 03:32:08 6 | site? |
| 03:32:08 7 | A. Maybe because of the incident, to figure out |
| 03:32:11 8 | what's going on and what happened. But they didn't |
| 03:32:13 9 | want to listen to what happened because they already |
| 03:32:17 10 | the decision had been made by them. |
| 03:32:19 11 | Q. How did how did Allied know that there was |
| 03:32:21 12 | an incident? |
| 03:32:21 13 | A. How would they know it was an incident? I |
| 03:32:26 14 | don't know. |
| 03:32:27 15 | Q. You were the only officer on only Allied |
| 03:32:30 16 | officer at the site at that time, right? |
| 03:32:32 17 | A. Correct. |
| 03:32:32 18 | Q. So how would Allied know that an incident |
| 03:32:36 19 | occurred? |
| 03:32:36 20 | A. Maybe management called them. H-E-B |
| 03:32:39 21 | management. |
| 03:32:39 22 | Q. Do you know if H-E-B management called them? |
| 03:32:41 23 | A. Not too sure. |
| 03:32:42 24 | Q. Did you ever talk to Kevin after the incident? |
| 03:32:45 25 | A. No, not really. Don't remember. |

So you said that Alex told you you were off 1 03:32:48 Ο. 03:32:55 2 the schedule. Did he say that you were suspended? No, he did not say that. He said, You're off 03:32:58 3 Α. the schedule. You are scheduled to work tomorrow. 03:33:00 4 don't have to go to work. It's already been taken care 03:33:03 5 You're off the schedule. Come to the office. 03:33:05 6 03:33:08 And so did you go to the office that night or the next day? 03:33:12 8 Oh, the next day. 03:33:13 Α. What time did you get to the office? 03:33:14 10 Ο. 03:33:17 11 Morning. Don't know the time. 11:00, 10:00 Α. 03:33:23 12 in the morning. Somewhere around there. Could be 03:33:26 13 Not too sure, like, what time exactly, but it 03:33:28 14 was the next day. Absolutely, like, a hundred percent 03:33:32 15 the next day. 03:33:33 16 Were you in uniform? Ο. 03:33:34 17 Α. No, I was not. I was -- I believe I was in civilian clothes because I was off the schedule. 03:33:37 18 03:33:42 19 in uniform, not too sure; but I think I was in civilian 03:33:46 20 clothes. 03:33:46 21 Ο. When you use the term "civilian," what do you 03:33:49 22 mean by that? Like regular clothes, not uniform. 03:33:50 23 Α. casual clothes like you and me, something like that. 03:33:52 24 03:33:55 25 Ο. Okay.

| \sim | \sim 1 | |
|--------|----------|--|
| | 11/1 | |
| | | |

| 03:33:56 1 | A. Not like shorts. Not like actual professional |
|-------------|---|
| 03:34:02 2 | clothes. |
| 03:34:03 3 | Q. So you show up at maybe 10:00, maybe 11:00? |
| 03:34:06 4 | A. Somewhere around there, yes. |
| 03:34:10 5 | Q. Who did you talk to first? |
| 03:34:12 6 | A. I walked into the office. |
| 03:34:15 7 | Q. And after you walked in, what did you do? |
| 03:34:19 8 | A. I talked to the front desk lady. Who are you |
| 03:34:22 9 | here to see? Patrick. Patrick came, grabbed me. |
| 03:34:29 10 | Like, grabbed me and took me to the office. He walked |
| 03:34:32 11 | in first. I walked in behind him. |
| 03:34:35 12 | Q. Okay. When you say that he grabbed you, did |
| 03:34:38 13 | he touch you? |
| 03:34:39 14 | A. No. Grabbed, like, Hey, come on in. Like, |
| 03:34:41 15 | grab, you know. |
| 03:34:42 16 | Q. So he never touched you? |
| 03:34:44 17 | A. No, I didn't say grab, like, grab you, no. |
| 03:34:46 18 | Like, Hey, let's go. Come on in. Like, that's how I |
| 03:34:49 19 | mean by grabbing. |
| 03:34:50 20 | Q. And the front person that was, you know, the |
| 03:34:53 21 | administrator or the receptionist, was it the same |
| 03:34:57 22 | woman that you talked about earlier? |
| 03:34:58 23 | A. I think so. She was the same, yeah. |
| 03:35:00 24 | Q. And so Patrick got you, and you went to his |
| 03:35:03 25 | office again? |

```
Yes.
      1
               Α.
03:35:04
03:35:04
               Ο.
                     And when you went to his office, did he go in
      3
          first?
03:35:06
                     He went in first.
03:35:06
      4
               Α.
                     And where did he go after he entered his
03:35:09
               Ο.
          office?
03:35:12
      6
03:35:12
               Α.
                     He went behind the desk.
                    And where did you go?
03:35:14
      8
               Ο.
                     At the -- sit in the desk or the table or
03:35:16
               Α.
03:35:20 10
          chair.
                   The chair you sitting in.
03:35:22 11
                     So sort of opposite from him, right?
               Q.
                            This is Patrick. Assume there's a table
03:35:25 12
               Α.
                     Yes.
03:35:27 13
          and this is me (indicating).
03:35:28 14
                     Was anyone else around at that time?
                     I don't remember if it -- it was just -- I
03:35:34 15
               Α.
          don't remember if anyone else was over there.
03:35:37 16
                    Do you remember what day of the week this was?
03:35:40 17
               Ο.
03:35:42 18
               Α.
                    No.
03:35:42 19
                    And after you got into the office, what does
               Ο.
03:35:51 20
          Patrick say?
03:35:51 21
               Δ
                    He has a form ready. He said to me:
03:36:03 22
          date it, and give it to me. I was trying to go over
03:36:09 23
                He goes, like, there's no time to go over it.
          it.
          Sign it and give it to me.
03:36:11 24
                           I was like, What is this?
03:36:12 25
```

| 03:36:14 1 | He goes, like, the incident report. |
|-------------|--|
| _ | |
| 03:36:15 2 | I was like, I did not wrote this and this |
| 03:36:17 3 | is not what happened and this isn't this is not what |
| 03:36:22 4 | exactly going on. This is not what I wrote. This is |
| 03:36:24 5 | not my side of story. |
| 03:36:26 6 | He says, I don't care. Sign it, initial |
| 03:36:34 7 | it, date it, and give it to me. Loud voice. |
| 03:36:37 8 | Aggressive voice. Disrespectful voice. |
| 03:36:41 9 | Q. Sure, I understand that's how you're |
| 03:36:44 10 | classifying it. Was he sitting at his desk? |
| 03:36:46 11 | A. Yes. |
| 03:36:46 12 | Q. Did he ever stand up? |
| 03:36:50 13 | A. I don't remember if he stand up or not. |
| 03:36:52 14 | Q. Were you sitting down at this time too? |
| 03:36:55 15 | A. I was sitting down, yes. |
| 03:36:56 16 | Q. Did you ever stand up? |
| 03:36:58 17 | A. I don't remember I standed up, no. |
| 03:37:00 18 | Q. Okay. |
| 03:37:01 19 | A. During the conversation? No, I was sitting |
| 03:37:03 20 | down. |
| 03:37:03 21 | Q. After you refused to sign this form, what |
| 03:37:07 22 | happened? |
| 03:37:07 23 | A. He start threatening me. |
| 03:37:13 24 | Q. When you say he started threatening you, what |
| 03:37:16 25 | do you mean by that? |

Threat of taking my license away, 03:37:17 1 Α. Threat. 03:37:22 2 threatening to suspend my license. Threatening calling law enforcement on me, force charges on me, that I'm a 03:37:29 3 loose cannon in the company. I was just trying to 03:37:34 4 explain my situation, I was explaining my side of 03:37:38 5 story. He was telling me, I don't give a fuck what 03:37:41 6 03:37:44 happened or what you have to say. What are you gonna 03:37:48 This is the paper that you're gonna sign and 8 say? that's it. You are suspended. It's not -- you are 03:37:52 03:37:59 10 suspended. You need -- if you refuse to sign, you 03:38:03 11 refuse to sign. You need to come back early as 03:38:08 1 2 tomorrow, turn in your equipments until the outcome of 03:38:12 13 the investigation. Okay. Did you sign the form? 03:38:14 14 Ο. 03:38:16 15 I did not sign the form, no. I refused to Α. 03:38:20 16 sign it because it was not my testimony and not my report. And I told Patrick, You were not there. Alex 03:38:22 17 was not there. I was there. I am a witness of what 03:38:25 18 03:38:32 19 I need to giving the actual opportunity to happened. 03:38:36 20 fill up the actual report of what happened, exactly 03:38:39 21 what happened. He refused to do that. He refused to give me the opportunity to do any reports or anything 03:38:44 22 like that. He said --03:38:47 23 03:38:49 24 I'm going to pause you for a second. Ο. 03:38:51 25 Α. Yes.

| 03:38:51] | Q. But you did have the opportunity on April 4th |
|-------------|--|
| 03:38:54 2 | with Alex. |
| 03:38:55 | A. That was not the full opportunity to complete |
| 03:38:57 | the form. |
| 03:38:57 | Q. Right. And what prevented you from writing |
| 03:38:59 | your own statement, Twana? |
| 03:39:01 | A. I needed the official documents from Allied |
| 03:39:04 | Universal for the incident. They never provided to me. |
| 03:39:10 | Like incident report says "incident report." They |
| 03:39:12 10 | never |
| 03:39:12 11 | Q. You couldn't just write it on a piece of |
| 03:39:15 12 | paper? |
| 03:39:15 13 | A. Will they accept it? I don't know. But if |
| 03:39:18 14 | they gave me |
| 03:39:19 15 | Q. Did you try? |
| 03:39:20 16 | A. I asked for incident reports. |
| 03:39:21 17 | Q. Did you try to write it on a piece of paper? |
| 03:39:23 18 | A. I didn't try and write it on a piece of paper |
| 03:39:31 19 | but |
| 03:39:31 20 | Q. Did you try to offer them a statement? |
| 03:39:34 21 | A. Yes, of course, of course, absolutely, without |
| 03:39:36 22 | a reasonable doubt I asked for to fill out paper. I |
| 03:39:40 23 | asked for actual paper to fill it out. I told them, |
| 03:39:42 24 | give me a paper to fill it out. They said, No. |
| 03:39:45 25 | Decision has been made. You are suspended. You're not |

```
gonna do any paper. You're not gonna fill up anything.
      1
03:39:46
03:39:47
      2
          You sign this or you don't sign it. If you don't sign
          it, I'm gonna put "refused to sign."
03:39:50
      3
03:39:52
      4
                          I said, Okay. I'm not signing anything.
          This is not what happened with me.
                                                    I want to -- I want
03:39:54
      5
          to give the -- I want to be given the opportunity to
03:39:56
      6
          sign to -- sorry -- to fill out my own statement and do
03:39:59
          my own statement. And that's when he become really
03:40:04
      8
          pissed off and aggressive toward me.
03:40:07
03:40:10 10
               Q.
                    Okay. And again, I appreciate that
          characterization.
03:40:13 11
03:40:14 12
               Α.
                    Thank you.
03:40:14 13
                    But the question two you, Twana --
               Ο.
03:40:19 14
               Α.
                    Yes.
03:40:19 15
                    -- was if Allied allegedly did not give you a
          form to fill out --
03:40:23 16
03:40:24 17
               Α.
                    Right.
03:40:25 18
                    -- what stopped you from writing your own
03:40:27 19
          statement on your own paper?
03:40:29 20
                    I didn't know if they're gonna take it
               Α.
03:40:38 21
          because --
03:40:38 22
               Q.
                    Did you try?
03:40:39 23
               Α.
                    Huh?
03:40:41 24
                    Did you try?
               Ο.
03:40:41 25
                     I asked them.
               Α.
```

| 03:40:42 1 | Q. Did you try to submit a document that was not |
|-------------|--|
| 03:40:44 2 | accepted? |
| 03:40:45 3 | A. I asked them, Do you guys need it, my report? |
| 03:40:48 4 | They said, No, we don't need nothing from you. |
| 03:40:51 5 | Q. Twana, the question is: Did you try to submit |
| 03:40:54 6 | a statement that was not accepted by Allied? |
| 03:40:57 7 | A. I gave them the opportunity to fill up my |
| 03:41:00 8 | report, but they didn't want my report. It's not I |
| 03:41:04 9 | tried to give them my reports and fill up a paper. |
| 03:41:07 10 | They didn't want it. They didn't want it. |
| 03:41:10 11 | Q. I will ask a third time. |
| 03:41:12 12 | A. Yes. |
| 03:41:13 13 | Q. The question was: Did you try to write a |
| 03:41:17 14 | statement and provide it to Allied, on your own paper, |
| 03:41:23 15 | that was not accepted? |
| 03:41:24 16 | A. Yes. They don't want it. They don't want |
| 03:41:27 17 | nothing. |
| 03:41:27 18 | Q. Where is the piece of paper that you tried to |
| 03:41:29 19 | write a statement on? |
| 03:41:30 20 | A. I didn't fill it up because they didn't want |
| 03:41:32 21 | to take it, take nothing from me. I told them, Can I |
| 03:41:35 22 | do my own report? They said, No. |
| 03:41:37 23 | Q. So Patrick told you you were suspended, right? |
| 03:41:44 24 | A. Correct. |
| 03:41:44 25 | Q. Did he tell you you were fired at that point? |

```
Α.
     1
                    No.
03:41:46
03:41:47
               Ο.
                    You testified that he asked you to come back
     3
          the next day to turn in your -- your equipment, right?
03:41:50
03:41:52
     4
              Α.
                    Correct, yes.
                    Did you turn in your equipment the next day?
03:41:53
      5
              Ο.
03:41:55
              Α.
                    Hundred percent, yes.
03:41:56
                    And what did you turn in?
              Ο.
                    Firearm, the rounds that you -- like, rounds,
03:41:57
      8
              Α.
          bullets, the actual issue numbers, Taser and equipments
03:42:10
03:42:14 10
          they -- whatever equipments they issued to me. Main
03:42:18 11
          equipments they wanted back from me was the firearm and
03:42:27 12
          the Taser.
03:42:43 13
                          (Exhibit No. 23 marked.)
03:42:43 14
                    (By Mr. Shine) Twana, you're being handed a
03:42:45 15
          document that's your weapon return for what appears to
          be your firearm, which is dated -- I'm sorry -- labeled
03:42:48 16
03:42:52 17
          AhmedAllied 449.
03:42:54 18
                          Have you seen this document before?
03:42:55 19
              Α.
                    Yes, I have.
03:42:56 20
                          MS. HERNANDEZ: Objection; misstates the
03:42:58 21
          Bates number.
03:42:59 22
                          MR. SHINE:
                                        449?
03:43:00 23
                          MS. HERNANDEZ: The one you handed me is
03:43:01 24
          448.
03:43:08 25
                                        I apologize.
                          MR. SHINE:
```

```
THE WITNESS:
                                           This one is 448 too.
      1
03:43:08
03:43:08
      2
                          MR. SHINE:
                                        I apologize. That's my
03:43:08
      3
          mess-up.
03:43:08
      4
                          MS. HERNANDEZ:
                                             That's okay.
03:43:15
      5
               Ο.
                     (By Mr. Shine) Can I clarify what's been
          marked 448?
03:43:16
      6
03:43:16
               Α.
                     That's 23.
                     I apologize. So what has been marked as 23 is
03:43:25
      8
               Ο.
          AhmedAllied 448.
03:43:29
      9
                     I believe this is for the Taser.
03:43:34 10
               Α.
03:43:35 11
                     Correct. So this is for your Taser, right?
               Q.
03:43:37 12
               Α.
                     Correct, yeah.
03:43:37 13
                     And is --
               Ο.
                     Because it has X3 on it. That's a Taser.
03:43:38 14
               Α.
03:43:42 15
                     And is that your signature at the bottom?
               Ο.
                     Yeah, I'm aware of this document, yeah.
03:43:44 16
03:43:49 17
          signed this document for returning my documents --
03:43:51 18
          sorry -- returning my equipments.
03:43:54 19
               Ο.
                     Okay.
03:44:08 20
                           (Exhibit No. 24 marked.)
                     (By Mr. Shine) Twana, you're being handed a
03:44:08 21
               Ο.
03:44:11 22
          second document, which is a weapon return for --
          properly -- for your firearm, which is labeled
03:44:14 23
03:44:19 24
          AhmedAllied 449.
03:44:21 25
                          Again, is this your signature on this
```

```
1
          form?
03:44:22
03:44:22
               Α.
                     Yeah.
                              I'm aware of this document. I've seen
      3
          it before.
03:44:24
03:44:25
               Ο.
                            Who did you turn your weapons in to?
                     Patrick.
03:44:26
      5
               Α.
03:44:27
      6
                     And where was Patrick at the time you turned
               Ο.
          your weapons in?
03:44:31
                     He was in the office.
03:44:32
      8
               Α.
                     And what time did you get to the branch
03:44:33
               Ο.
          office?
03:44:35 10
                     12:00, 1:00.
03:44:35 11
               Α.
03:44:39 12
                     And where in the office was Patrick at that
               Ο.
03:44:45 13
          time?
                     In his room, in his office.
03:44:45 14
               Α.
03:44:47 15
                     Okay. Was anyone else present --
               Ο.
03:44:47 16
               Α.
                     No.
03:44:49 17
               Ο.
                     -- at the time?
03:44:49 18
                     No.
               Α.
03:44:50 19
                     When you first got to the office, who did you
               Ο.
03:44:54 20
          talk to first?
                     Do you mean the main office or his office?
03:44:54 21
               Α.
                     The main office, when you first arrived at
03:44:59 22
               Q.
03:45:02 23
          Allied.
03:45:03 24
                     The clerk or registrar, the receptionist.
               Α.
03:45:13 25
                     Did Patrick come and get you again?
               Ο.
```

```
Α.
03:45:15
      1
                    Yes.
03:45:16
               Ο.
                    He did?
03:45:17
                    Yes.
               Α.
03:45:17
               Ο.
                    So he came -- were you sitting in like a
          reception?
03:45:21
      5
03:45:21
               Α.
                    Yes.
03:45:22
                    Again, I haven't been to the office.
               Ο.
                           So when you're going in, there's a glass
03:45:24
      8
               Α.
                    Yes.
                  You walk in. The receptionist is to the left --
03:45:26
      9
          door.
          to the right. In front of you, you have a door.
03:45:29 10
03:45:32 11
          couple of chairs, you sit down. I was sitting down.
                                                                         Ι
03:45:37 12
          went in:
                     Hey. Hi. I'm here to see Patrick.
03:45:39 13
                          She goes, like, I'll notify him to come
03:45:41 14
          grab you.
                       And then...
03:45:42 15
               Ο.
                    And then Patrick came to get you?
03:45:45 16
               Α.
                    Patrick came.
03:45:47 17
                    And again, I know you used the word grabbed.
               Ο.
03:45:50 18
          I just want to clarify: He never touched you, right?
03:45:52 19
                    No, no. Just, I mean, like grabbed, like,
               Α.
03:45:54 20
          let's go, come on. Like, get me. Something like that.
03:45:56 21
               Ο.
                    Okay. So you followed Patrick back to his
          office?
03:45:58 22
03:45:58 23
               Α.
                    Yes.
03:45:59 24
                    And when you get to his office, what happens?
               Ο.
03:46:00 25
          Like, where does he go?
```

```
1
              Α.
                    Sit behind his chair.
03:46:01
03:46:03
      2
              Ο.
                    And where do you go?
                    Sit on the chair.
03:46:04
      3
              Α.
03:46:06
      4
              Ο.
                    Again, as you've testified earlier, sort of
          across from each other, right?
03:46:08
     5
03:46:13
      6
              Α.
                    Correct.
                    What happens at that point?
03:46:13
              Ο.
                    I had a -- it's not a suitcase.
                                                         It's a small
03:46:16
      8
              Α.
          shoulder bag that I placed the equipments inside for a
03:46:19
          secured reason. Because it's a firearm and all that
03:46:24 10
          stuff, they don't want to, like, have it in a case.
03:46:27 11
03:46:30 12
          And for just safety reason, I had them secured.
03:46:33 13
                         So I went in there.
                                                 I opened it.
                                                                 I told
03:46:38 14
          him, This is the gun in the case.
                                                 These are two
03:46:42 15
          magazines.
                       These are bullets. These are the Taser.
03:46:47 16
          He looked at the Taser. Looked at the bottom of it.
03:46:51 17
          Matched the serial number of the one that got issued to
03:46:54 18
               Gave it to me -- sorry, not gave it -- gave it to
03:47:00 19
          me like before by Allied. He looked at it. He put it
03:47:05 20
          back in the holster, put it inside.
03:47:08 21
                         He grabbed the gun. I was sitting in
03:47:10 22
          front of him. He didn't attempt to clear the gun or
          anything like that for safety reason. Which the gun
03:47:13 23
03:47:15 24
          was empty; it was not loaded or anything like that.
03:47:22 25
                         I'm sitting in front of him.
```

```
1
         the barrel towards me like this. I'm sitting like
03:47:23
03:47:25
     2
         this. He turned the barrel towards me. When he turned
         the barrel towards me, I moved the chair this way.
     3
03:47:26
         moved it back. I didn't -- I know the gun was clear;
03:47:28
     4
         there was nothing inside. But when he pointed it
03:47:31
     5
         towards me, he flipped the other side, finger really
03:47:36
     6
03:47:40
         close to the trigger. He looked at the serial number,
         wrote the serial number, just throw it back on the
03:47:42
     8
         desk. And I was shocked when he did that.
03:47:46
03:47:53 10
                         And he looked at -- grabbed the
03:47:55 11
         magazines, looked at how many rounds. I believe 17
03:47:58 12
         rounds or 15 rounds, whatever that number was, was
         issued, because there was no bullets -- missing
03:48:04 13
03:48:09 14
         bullets.
03:48:09 15
                         He got up before filling these up hundred
         percent or signing -- or I signed. He got up, went
03:48:13 16
03:48:17 17
         somewhere. He came back after five, ten minutes later.
         I was sitting in the office. He stopped talking.
03:48:21 18
03:48:25 19
         then I told him, Can I use the restroom? He said, Yes.
03:48:30 20
         So I went to use the restroom. Took like five minutes.
03:48:34 21
         I came back and left the door open, didn't close the
03:48:37 22
         door.
03:48:37 23
                   Okay. I'm going to stop you for a minute.
              Ο.
03:48:40 24
              Α.
                   Yes.
03:48:41 25
                   You said that he pointed the barrel of a gun
              Ο.
```

```
1
          at you?
03:48:46
03:48:46
      2
               Α.
                     Yes, he did.
                     And that it was --
03:48:47
      3
               Ο.
                     Not loaded.
03:48:48
      4
               Α.
                     Correct, unloaded.
                                            But -- and what did you
03:48:49
      5
               Ο.
          say that made you feel?
03:48:55
      6
03:48:57
                     Very uncomfortable and freaked me out.
                     So why didn't you include that fact in your
03:49:02
      8
               Ο.
          complaint?
03:49:07
      9
                     I didn't include it in the complaint.
03:49:07 10
               Α.
03:49:10 11
                     But that's a pretty important fact that you
               Q.
03:49:13 12
          would have included, right, if it actually happened?
03:49:16 13
                     It did happen.
               Α.
                             So you come back from the bathroom and
03:49:18 14
               Ο.
                     Okay.
03:49:20 15
          you leave the door open?
                     Yes, I did.
03:49:21 16
               Α.
                     And is Patrick still in his office at that
03:49:22 17
               Ο.
03:49:24 18
          point?
03:49:24 19
                     He -- he came back, and then I told him,
               Α.
03:49:28 20
          Excuse me; I need to use the restroom.
03:49:28 21
               Q.
                     Okay.
                     He goes, like, help yourself up.
03:49:29 22
               Α.
03:49:32 23
                           And I went to the restroom a few minutes.
03:49:36 24
          Came back.
                       He was in the chair. I left the door open
03:49:43 25
          about this much, approximately.
```

| 03:49:44 1 | Q. When you say "this much," was that 2, 3 feet? |
|-------------|--|
| 03:49:47 2 | A. Approximately 3 feet, yeah. |
| 03:49:49 3 | Q. Okay. Why did you leave the door open? |
| 03:49:51 4 | A. I left it open because I want to talk to him. |
| 03:50:01 5 | And if he's gonna be aggressive with me or anything |
| 03:50:12 6 | like that, hopefully somebody can hear something |
| 03:50:15 7 | because he has done it before. |
| 03:50:17 8 | Q. Okay. Why did you want to talk to him? |
| 03:50:18 9 | A. I wanted to talk to him about why this was |
| 03:50:22 10 | happening to me. And I follow every guideline of |
| 03:50:28 11 | the guideline of the company. I did what I was |
| 03:50:30 12 | supposed to do. And I I did what I was supposed to |
| 03:50:34 13 | do and whatever they told me to do. |
| 03:50:36 14 | Q. And did he talk to you? |
| 03:50:37 15 | A. Yes, he did. |
| 03:50:38 16 | Q. How long did you talk? |
| 03:50:39 17 | A. Don't remember the exact time, how long. |
| 03:50:43 18 | 20 minutes, 30 minutes. Don't remember. But we talked |
| 03:50:46 19 | about it. |
| 03:50:46 20 | Q. Okay. |
| 03:50:47 21 | A. He he didn't want to listen to me. And |
| 03:50:51 22 | that's when he he repeated same multiple same |
| 03:50:55 23 | words that he repeated before in the past that he ever |
| 03:50:58 24 | told that he told me before: This is not what you |
| 03:51:01 25 | come from sorry. When I let me go back. |

| 03:51:08 1 | When he grabbed me and went to the |
|-------------|--|
| 03:51:12 2 | office, he was on the phone; he had headphones on. Who |
| 03:51:16 3 | exactly he was speaking to, I was not I don't know |
| 03:51:20 4 | who he was speaking to. But as soon as I sit down, he |
| 03:51:24 5 | told the person on the phone, I'm dealing with a sand |
| 03:51:27 6 | nigger. I've got to call you back. |
| 03:51:30 7 | I didn't know what "sand nigger" mean. I |
| 03:51:33 8 | didn't know what it come from. I didn't know what he |
| 03:51:37 9 | translated it to. But I found out later on what it |
| 03:51:40 10 | means. He meant me, since I'm from Middle East and we |
| 03:51:43 11 | have a lot of deserts, we worship deserts. That's what |
| 03:51:48 12 | he meant. |
| 03:51:48 13 | Q. Do you know what he meant? |
| 03:51:50 14 | A. Exactly. Sand nigger. |
| 03:51:52 15 | Q. Do you are you Patrick Freeney? |
| 03:51:54 16 | A. What? |
| 03:51:55 17 | Q. Are you Patrick Freeney? |
| 03:51:56 18 | A. There is no way to translate that phrase in a |
| 03:52:00 19 | different language. |
| 03:52:01 20 | Q. I'm simply asking: Are you Patrick Freeney? |
| 03:52:03 21 | A. Absolutely not. |
| 03:52:04 22 | Q. So do you actually know what he meant? |
| 03:52:06 23 | A. Of course. |
| 03:52:06 24 | Q. Because you can read his mind, right? |
| 03:52:10 25 | A. No. I'm not a psychiatrist, but you can |

```
understand those words when it comes out of somebody's
03:52:14
     1
03:52:18
      2
          mouth, trust me. When you call somebody "sand nigger"
          and especially he's a Muslim and he's an immigrant from
03:52:21
      3
          Middle East.
03:52:24
     4
                            So the first time you went through
03:52:25
              Ο.
                    Right.
03:52:27
      6
          this story, Twana, you said that he came out and got
03:52:30
                He sat behind the desk. You had a conversation.
03:52:30
     8
              Α.
                    Right.
                    Now you're going back and saying --
03:52:33
              Ο.
03:52:34 10
              Α.
                    No, no, no. You --
03:52:34 11
                    Please don't interrupt me.
              Q.
03:52:35 12
              Α.
                    Correct.
03:52:35 13
                    Now you're going back and saying he was
              Ο.
          actually on the phone. So which one is it?
03:52:37 14
                    He was on the phone. I forgot about that
03:52:39 15
              Α.
          phrase right there. The phone. I remember when I came
03:52:42 16
          back from the restroom, I was like, Oh, yeah, he was on
03:52:45 17
03:52:48 18
          the phone the first time. He was on the phone.
03:52:50 19
          hang up the phone, and that's when -- before he hang up
03:52:53 20
          the phone, he says, I've got to call you back, I'm
03:52:55 21
          dealing with this.
03:52:56 22
                         There was nobody else to deal with except
03:52:58 23
          me.
               I was the only one in his office. I was the only
03:53:01 24
          one there for a reason. And that's what he meant.
                                                                    Me.
03:53:04 25
          He didn't mean somebody else.
                                            He didn't mean the
```

```
person on the phone. He meant me.
      1
03:53:06
03:53:08
      2
               Ο.
                    Sure. So who was he talking to?
                    I don't know.
03:53:10
      3
               Α.
03:53:10
               Ο.
                    And you say he was on --
                    On his phone.
03:53:13
               Α.
03:53:14
               Ο.
                    -- headphones?
03:53:16
                    He was on the phone, and he had a small black
          device in his ears.
03:53:19
      8
                    When you say "small black device," what do you
03:53:20
               Ο.
03:53:24 10
          mean?
03:53:24 11
                                   Small headphones in his ears.
               Α.
                    Headphones.
                                                                        He
03:53:27 12
          was talking. And then he grabbed the phone.
03:53:30 13
          remember the phone was a black phone.
                                                       I believe it was
03:53:35 14
          android or something like that. He hang up the phone
03:53:39 15
          and put the phone down.
03:53:40 16
                    Okay. So again, after you talked to him for,
               Ο.
03:53:51 17
          again, 20 to 30 minutes --
03:53:53 18
               Α.
                    Yes.
03:53:53 19
                    -- after you used the bathroom --
               Ο.
03:53:55 20
               Α.
                    Yes.
                    -- what did you do at that point?
03:53:55 21
               Ο.
                    I was talking to him while I -- I told him I
03:53:57 22
               Α.
          need to be given the opportunity to explain my
03:54:00 23
03:54:02 24
                        I need an opportunity to do the reports and
          situation.
03:54:08 25
          do what I'm supposed to do.
```

```
03:54:10
     1
                         He said to me: You are suspended until
03:54:17
     2
         outcome of the investigation. You are a loose fucking
          cannon in this company. Even if you are not -- even if
03:54:22
     3
03:54:27
     4
         you are not fired in the outcome of the investigation,
          I'm gonna make sure you are fired and you are -- and
03:54:30
     5
         hire -- and unhirable. I don't know why a dumb ass
03:54:34
     6
03:54:41
         person like -- I don't know how a dumb ass person like
         you served with the military and worked with the
03:54:46
     8
         military. That's what he said.
03:54:50
     9
                         And I was -- he goes, like, clearly you
03:54:54 10
         don't understand how things run this -- in this
03:54:57 11
03:55:00 12
         country. You think it's like where you come from.
                                                                    Τf
03:55:03 13
         you don't know how to -- if you -- if you don't know
03:55:08 14
         how to, like -- if you don't know how to work over here
03:55:16 15
          or survive over here -- something like that -- you need
          to go back to wherever you came from. Absolutely you
03:55:19 16
03:55:23 17
         do not belong in here.
03:55:25 18
              Ο.
                    And you know that verbatim?
03:55:27 19
                    What do you mean "batim"?
              Α.
03:55:29 20
                    Verbatim. You repeated to us just now exactly
              Ο.
03:55:32 21
         what Patrick said to you that day?
03:55:34 22
              Α.
                    That's what happened. That's what he said to
03:55:36 23
         me, yes.
03:55:36 24
                    Are those his exact words?
              Ο.
03:55:38 25
                    That's exact his words, yes.
              Α.
```

```
So you remember his exact words --
      1
03:55:39
              Ο.
03:55:47
              Α.
                    I remember what he -- because --
                    -- from --
03:55:48
      3
              Ο.
03:55:48
      4
              Α.
                    Because --
03:55:49
      5
              Ο.
                    -- two years ago?
                    Because when somebody is racist against your
03:55:50
      6
03:55:53
          belief, against where you come from, against your
          origins, you never forget that. That will be scars in
03:55:56
      8
03:55:59
      9
          me.
                    So why wasn't all of that included in your
03:56:00 10
              Ο.
03:56:03 11
          complaint?
03:56:03 12
                    I left it open for the complaint. I talked to
03:56:10 13
          HR about it. I brought it up to HR about it.
03:56:16 14
          it --
03:56:16 15
                    So again, why -- why did you use the restroom
03:56:18 16
          and go back to talk to him? Because you wanted to --
03:56:18 17
              Α.
                    Because --
03:56:20 18
                    -- have a conversation about the incident,
              Ο.
03:56:22 19
          right?
03:56:22 20
                          Because he was not finished hundred
              Α.
          percent. Because I told you when I gave him the gun
03:56:24 21
03:56:28 22
          and everything, he filled it up but I didn't get a copy
          for my records. And I didn't sign it. How am I know
03:56:35 23
03:56:39 24
          I'm gonna turn in the equipments and they gonna say,
          without my records or my copy, and they gonna say, Oh,
03:56:44 25
```

```
he never got any copy -- he never turned in the
     1
03:56:47
03:56:49
      2
          equipments, and I can get blamed for those items.
                                                                   So I
          need a copy for my records.
     3
03:56:53
                         So when he came back, I went back and
03:56:55
          asked -- excused to go to restroom. And I did my thing
03:56:58
     5
          in the restroom, and then came whack in the office.
03:57:01
      6
03:57:08
                    To sign the documents?
                    Sign the documents and try to explain my
03:57:09
      8
              Α.
          situation.
03:57:12
                    But you testified previously that you signed
03:57:12 10
              Ο.
03:57:15 11
          the documents when you turned the equipment in before
03:57:17 12
          you went to the bathroom. So which one is it, Twana?
03:57:21 13
                         MS. HERNANDEZ:
                                           Objection; misstates
03:57:23 14
          testimony.
03:57:24 15
              Α.
                    Signed the documents and get copies from them.
03:57:27 16
          Because I would not leave without a copy. I would have
03:57:30 17
          took the stuff with me. Because he already threatened
03:57:35 18
          me to press charges on me. He's already threatening me
03:57:40 19
          to jail me. He's already threatening me to suspend my
03:57:44 20
          license.
                    (By Mr. Shine) Twana, the question was:
03:57:44 21
              Ο.
03:57:47 22
          you sign the documents before or after you went to the
03:57:49 23
          bathroom?
03:57:50 24
                                           Objection; vague.
                         MS. HERNANDEZ:
03:57:51 25
                    Would you mind letting me finish completely,
              Α.
```

```
1
          please?
                    Please, I have to finish everything.
03:57:54
03:57:56
      2
               Ο.
                     (By Mr. Shine) Twana --
                    I understand your question.
03:57:57
               Α.
03:57:58
               Ο.
                    Then answer the question.
                    Let me finish my -- what I was trying to say.
03:57:59
               Α.
                                            Twana, just let him --
03:58:02
                          MS. HERNANDEZ:
03:58:04
                          MR. SHINE: Can we go off the record?
                          Off the record.
03:58:07
      8
                          THE VIDEOGRAPHER: Off the record at
03:58:08
          3:57.
03:58:10 10
03:59:11 11
                          (Off the record 3:58 p.m. to 4:07 p.m.)
04:07:59 12
                          THE VIDEOGRAPHER: Back on the record at
04:08:03 13
          4:07.
                     (By Mr. Shine) Twana, the question that was
04:08:05 14
04:08:07 15
          asked before the break was: The two weapon return
          documents that you signed, did you sign those before or
04:08:12 16
04:08:16 17
          after --
04:08:19 18
               Α.
                    It was not --
04:08:20 19
                    -- going to the bathroom?
               Ο.
04:08:22 20
                    It was not complete, both of them.
               Α.
04:08:24 21
          filled up.
04:08:25 22
               Q.
                    When you say it was not complete, please help
04:08:29 23
          me understand what you mean by that.
04:08:30 24
               Α.
                    Not complete. Basically finish the first one,
04:08:33 25
          the second one, and -- sign the first one, but the
```

```
second one I believe was not signed. That's what I
      1
04:08:39
04:08:42
      2
          mean by "complete" and ask for copies.
                     And again, on both documents labeled
04:08:46
      3
          AhmedAllied 448 and AhmedAllied 449, that is your
04:08:52
      4
          signature -- excuse me -- at the bottom of the form,
04:08:56
      5
04:08:59
      6
          correct?
               Α.
                     Referring to this?
04:08:59
                     Yes.
04:09:01
      8
               Ο.
                     Yes, that is.
04:09:01
               Α.
                    And on the other document, that is your
04:09:02 10
               Q.
          signature as well, correct?
04:09:05 11
04:09:05 12
               Α.
                     Yes, it is.
04:09:10 13
                     Okay. You testified that you talked to
               Ο.
          Patrick Freeney for an additional 20 to 30 minutes,
04:09:14 14
04:09:16 15
          right?
04:09:16 16
               Α.
                    Maybe more.
04:09:16 17
                     Okay. After that 20 to 30 minutes, what did
               Ο.
04:09:22 18
          you do next?
04:09:23 19
               Α.
                     After the initial conversation and everything,
04:09:29 20
          I asked to see his boss.
                     Who did you understand his boss to be?
04:09:31 21
               Q.
                     Whatever was above him.
04:09:34 22
               Α.
                     I'm asking you: Who do you understand his
04:09:36 23
               Ο.
04:09:39 24
          boss to be?
                                                             Two offices
04:09:40 25
                     It was a couple of offices down.
               Α.
```

| 04.00.40 1 | down I know he was a higher up in the sempany |
|-------------|--|
| 04:09:43 1 | |
| 04:09:46 2 | Q. When you say "higher-up," what was that |
| 04:09:49 3 | person's title? |
| 04:09:50 4 | A. Not too sure but he was higher up in the |
| 04:09:56 5 | company. |
| 04:09:57 б | Q. Okay. And it was a guy? |
| 04:09:58 7 | A. It was a gentleman, yes. |
| 04:10:00 8 | Q. What did he look like? |
| 04:10:02 9 | A. I can't remember exactly what he looked like. |
| 04:10:08 10 | I all I know is he had dark hair. Maybe Hispanic or |
| 04:10:12 11 | maybe white. |
| 04:10:14 12 | Q. Was he at the office that day? |
| 04:10:17 13 | A. I can't remember exactly if he was in the |
| 04:10:22 14 | office or not. But I I asked to see him. He said |
| 04:10:28 15 | to me |
| 04:10:29 16 | Q. Who is the "he" you're talking about? |
| 04:10:31 17 | A. Patrick. |
| 04:10:33 18 | Q. Okay. |
| 04:10:33 19 | A. He said nobody wants to see nobody wants to |
| 04:10:37 20 | see your dumb ass. |
| 04:10:40 21 | Q. Okay. After he said that, then what happened? |
| 04:10:44 22 | A. And I was just trying to explain to him what's |
| 04:10:56 23 | going on. He didn't want to listen to me whatsoever. |
| 04:10:59 24 | Q. At some point did that conversation end? |
| 04:11:01 25 | A. At some point, yes, of course. |

1 Ο. And when that conversation ended, where did 04:11:09 04:11:14 you go or what did you do? I can't recall at this time exactly what I 04:11:17 Α. did. 04:11:23 4 Did you leave the branch office? 04:11:23 Ο. I can't recall that. Did I left the branch 04:11:24 04:11:29 office or went somewhere else, I don't know. went somewhere else. I'm not too sure. Like, I cannot 04:11:31 8 remember at this time, right now, at this moment. 04:11:35 04:11:37 10 Ο. But at some point you left the branch office, 04:11:42 11 right? 04:11:42 12 Of course. Of course, at some point I left Α. 04:11:45 13 the branch office. I'm not gonna --04:11:45 14 So after your conversation with Patrick ended, 04:11:49 15 about how long after that conversation did you leave the branch office? 04:11:52 16 I don't remember. 04:11:53 17 Α. Was it five minutes? 04:11:53 18 Ο. 04:11:55 19 I don't remember. 20, 30. I have no idea. Α. 04:12:00 20 just don't remember when exactly I left the office. 04:12:03 21 Ο. And after you left Patrick's office, what did 04:12:08 22 you do? Not too sure what I did because I was shocked 04:12:08 23 Α. at what happened. 04:12:30 24 04:12:34 25 But you left the branch office at some point, Ο.

```
1
          right?
04:12:42
04:12:42
              Α.
                    Sometime, of course.
                    Did you talk to anyone else that day?
04:12:43
              Ο.
04:12:43
              Α.
                    (No response).
                    I guess I should rephrase. Did you talk to
04:12:55
      5
              Ο.
          anyone else from Allied that day?
04:12:57
      6
04:13:05
                    Can't remember at this time exactly.
               I don't know.
                                But I don't think for sure I left
04:13:17
     8
          the office immediately. I don't know if I spoke to
04:13:25
04:13:28 10
          somebody or not.
04:13:29 11
                    In your complaint you also identify that you
04:13:41 12
          wrote a written report to Allied Universal, right?
04:13:48 13
                    The one you showed me?
              Α.
                         About the interaction with Patrick.
04:13:52 14
              Ο.
                    No.
                    What do you mean by "report"? Like exact
04:14:02 15
              Α.
          report, what do you mean? Can you be more specific,
04:14:05 16
04:14:06 17
          please? Like, report like a hand paper? Like an
04:14:09 18
          email?
                   A text message?
04:14:11 19
                            In your complaint it says that you made
              Ο.
                    Sure.
04:14:14 20
          a report to Allied Universal's HR in writing.
                                                               So my
04:14:20 21
          question was: At some point you made a -- some kind of
04:14:23 22
          written document or something that you gave to HR in
          writing, right?
04:14:26 23
                    I believe so, but I don't remember when or
04:14:27 24
              Α.
04:14:29 25
          where or when.
                            I did talk to HR.
                                                 HR emailed me and --
```

```
because after when I was suspended or fired, whatever
04:14:37
      1
04:14:41
          they said, HR was not aware of anything. They send me
                      They said you have missing documents; you
04:14:45
      3
          an email.
04:14:48
     4
          need to come to the office and fill them up or do them.
                    Uh-huh.
04:14:51
              Ο.
                    And I --
04:14:51
              Α.
04:14:52
                    And that's -- we talked about that earlier,
              Ο.
          right?
04:14:54
     8
                         That's a completely different one.
04:14:54
              Α.
                    No.
04:14:57 10
              Q.
                    I guess I'm confused because you said the
04:15:02 11
          day -- you testified earlier --
              Α.
04:15:02 12
                    Uh-huh.
04:15:04 13
                    -- that after talking to Patrick --
              Ο.
04:15:12 14
              Α.
                    Yes.
                    -- you went and talked to HR about a form that
04:15:13 15
          you were asked to complete two to three times.
04:15:18 16
                    That was the first time. And then the
04:15:19 17
              Α.
          second -- and then HR contacted me again about the same
04:15:21 18
04:15:24 19
          form they want me to fill up because they lost the
04:15:26 20
                       It's the same form that I filled up at the
          other one.
04:15:31 21
          office. It's the same form that I filled up in the
04:15:35 22
          event, and it's the same form they want me to fill up
          again. And I was kind of lost. Why you keep wanting
04:15:39 23
04:15:42 24
          me to fill the same form up? It makes no sense, you
04:15:46 25
                 And I told HR, Are you aware of what's going on?
          know.
```

| 04:15:50 1 | Q. When did you talk to HR? |
|-------------|--|
| 04:15:52 2 | A. When when I was suspended. |
| 04:15:58 3 | Q. Okay. So when did you first talk to HR after |
| 04:16:03 4 | you were suspended? |
| 04:16:05 5 | A. Don't remember exact when. But I talked to |
| 04:16:08 б | her after my suspension because I was not fired, I was |
| 04:16:12 7 | suspended. According to what I was told by Patrick, I |
| 04:16:15 8 | was never fired, I was suspended until the outcome of |
| 04:16:18 9 | the investigation. |
| 04:16:18 10 | Q. And who in HR did you talk with talk to? |
| 04:16:22 11 | A. The tall black lady. |
| 04:16:25 12 | Q. And you don't know when you talked to her? |
| 04:16:33 13 | A. Don't don't remember a specific date or a |
| 04:16:38 14 | month or anything like that. |
| 04:16:40 15 | Q. But you said it was after you were suspended? |
| 04:16:43 16 | A. After when I was suspended, correct. |
| 04:16:46 17 | Q. Do you think it was like the next day? |
| 04:16:48 18 | A. No. But close. Like I don't mean like the |
| 04:16:54 19 | same day close but, like, not too not too far, not |
| 04:16:58 20 | too short. Like, not like, what I mean, not long |
| 04:17:02 21 | time after, no. |
| 04:17:04 22 | Q. Okay. And what did you tell her? |
| 04:17:10 23 | A. I told her I'm suspended. And she said you |
| 04:17:18 24 | need to fill this paper out. It's a registration |
| 04:17:23 25 | document. And I told her I I believe I told her |

```
I can't recall a hundred percent what I said to her.
04:17:29
      1
04:17:32
      2
          What -- I told her I filled it up multiple times.
          is my third time or fourth time filling up this
04:17:35
      3
04:17:38
      4
          document. And I explained to her what's going on and
          what happened to me and my situation. And her response
04:17:41
      5
04:17:47
      6
          was you need to contact the hotline. Something like
04:17:58
          that.
                    Okay. So she asked you to call the, like,
04:17:58
     8
              Ο.
          Allied Universal hotline?
04:18:01
      9
                    I believe so. Whatever number she -- whatever
04:18:03 10
              Α.
04:18:06 11
          hotline she was talking about.
04:18:07 12
              Q.
                    Okay. And from your understanding, what is
04:18:12 13
          the hotline?
04:18:12 14
                    I don't know what's the hotline. I didn't --
04:18:16 15
          I never heard about anything hotline or something.
          Hotline means emergency line, to me, I phrase it,
04:18:18 16
04:18:23 17
          that's how. But I didn't know what's the hotline and
04:18:24 18
          what is it for, what does it do. But she kind of,
04:18:28 19
          like, told me what's the hotline for, I believe.
04:18:30 20
                    And so did she give you a phone number?
              Ο.
                    Not too sure. Can't remember. I think so.
04:18:35 21
              Δ
                                                                      Т
04:18:41 22
          don't know, like, specifically. I think she did.
04:18:43 23
          think so.
04:18:43 24
                    And at some point did you -- did you call the
          hotline?
04:18:49 25
```

```
Yes, I did.
      1
               Α.
04:18:49
04:18:50
      2
               0.
                     So you were given a phone number to the
      3
          hotline, right?
04:18:52
04:18:53
      4
               Α.
                     Yes.
                     When did you call the hotline?
04:18:53
               Ο.
                     Don't remember exact month or date, but I did
04:19:02
               Α.
04:19:08
          call the hotline.
04:19:10
      8
               Ο.
                     Okay.
                     Called them multiple times. More than once.
04:19:14
               Α.
04:19:17 10
               Q.
                     And...
                           (Exhibit No. 25 marked.)
04:19:33 11
04:19:33 12
                     (By Mr. Shine) Twana, I'm handing you a copy
               Ο.
04:19:35 13
          of the hotline complaint that you filed which is
          labeled AUS 1257 to 1259. Is this a fair and accurate
04:19:37 14
04:19:45 15
          copy of the hotline complaint that you made?
                     I made it over the phone, not paper.
04:19:49 16
               Α.
04:19:51 17
                     Okay. So if you're looking at page -- the
          first page which is AUS 1257 or 1,257 --
04:19:55 18
04:20:00 19
               Α.
                     I see that number, correct.
04:20:02 20
                     Right under the heading that says "Case
04:20:06 21
          Snapshot," it's the first text that appears in orange.
04:20:09 22
          Do you see what I'm referring to?
04:20:11 2.3
               Α.
                     This one? The first one?
04:20:13 24
                     Correct.
               Ο.
04:20:14 25
               Α.
                     Yes, I see that.
```

```
1
                     There's an open date. What date is listed
04:20:15
               Ο.
04:20:18
      2
          there?
                     5/25/2022 at 10:05. Is that what you're
04:20:18
      3
               Α.
04:20:25
     4
          talking about.
                            It's 5/25/2022, correct?
04:20:26
      5
               Ο.
                     Yes.
04:20:29
      6
               Α.
                     Yes.
04:20:29
                     Is there a time stamp?
               Ο.
                     What do you mean "time stamp"?
04:20:32
     8
               Α.
                     Is there a time listed after the date?
04:20:33
               Ο.
                     5/26/2022, 8:01 a.m.
04:20:38 10
               Α.
04:20:43 11
                     Let me back you up just slightly.
               Q.
04:20:50 12
               Α.
                     Okay.
04:20:50 13
                     Do you see where it says "Opened 5/25/2022"?
               Ο.
                     5/25/2022, opened, yeah, I see that.
04:20:57 14
               Α.
                     And there is a time stamp of 5:18 p.m.
04:21:01 15
               Ο.
04:21:04 16
          read that accurately?
04:21:06 17
               Α.
                     5/26/22, 8:01 a.m. Is that what you mean?
04:21:12 18
          Yes.
04:21:12 19
                     Twana, a little further down in the orange
               Ο.
          print, it says "case details." Do you see where I'm
04:21:31 20
04:21:35 21
          referring to?
04:21:35 22
               Α.
                     Yeah, I see that.
                     And then it says "Intake method:
04:21:36 23
                                                             Hotline
               Ο.
                     Do you see where I'm referring to there?
04:21:41 24
          phone."
04:21:43 25
               Α.
                     Yeah.
```

| 04:21:43 1 | Q. You testified earlier that you called in |
|-------------|---|
| 04:21:46 2 | through the hotline, right? |
| 04:21:47 3 | A. Yeah, I did. |
| 04:21:48 4 | Q. If you go a little further down, it says |
| 04:21:52 5 | "reporter contact information" and it lists a first and |
| 04:21:55 6 | last name with a phone number and email address. I |
| 04:21:59 7 | recognize that it's typed C-W-A-N-A for the first name, |
| 04:22:05 8 | but is that your phone number? |
| 04:22:08 9 | A. C-W are you saying There is no phone |
| 04:22:25 10 | number here. |
| 04:22:28 11 | Q. Do you see where your last name is listed? |
| 04:22:30 12 | A. Oh. You're talking about right here. That is |
| 04:22:32 13 | my phone number. |
| 04:22:33 14 | Q. Okay. Is it fair to say, Twana, that you |
| 04:22:36 15 | didn't type up this document, right? |
| 04:22:38 16 | A. Oh, no, I did not. |
| 04:22:40 17 | Q. So if someone got the spelling of your first |
| 04:22:43 18 | name wrong, that could just be an error? |
| 04:22:47 19 | A. Yeah. Now I know what you mean. I see the |
| 04:22:52 20 | C-W-T $C-W-A-N-A$. I know what you're talking about. |
| 04:23:01 21 | I didn't even know that's my name. Yeah, that's wrong |
| 04:23:04 22 | and the last name is wrong too. |
| 04:23:06 23 | Q. Correct. But that is your phone number, the |
| 04:23:10 24 | 832 number? |
| 04:23:10 25 | A. Yeah, that is my number, yeah. |

```
And again, is it fair to say that you didn't
04:23:13
     1
              Ο.
04:23:15
      2
          type this. You were talking to someone on the other
          line of a phone, right?
04:23:18
                    Yeah, I did not write anything.
04:23:19
              Α.
04:23:20
              Ο.
                    Okay.
                    Even my email is wrong, I think.
04:23:22
              Α.
04:23:26
                    On the next page, on AUS 1258, do you see
          where there is some -- some text, like a narrative
04:23:42
     8
          that's written out under the heading "Details"?
04:23:45
04:23:53 10
              Α.
                    I see it, yeah. I see that.
04:23:55 11
                    Okay. In the second paragraph under "Details"
              Q.
04:24:01 12
          where it starts, "There had been an incident recently
04:24:05 13
          regarding" -- what should be Twana -- "being addressed
04:24:08 14
          by the general supervisor."
04:24:11 15
                         Do you see what I'm talking about?
04:24:12 16
                    Yeah.
              Α.
04:24:13 17
                    Who were you referring to as the general
04:24:15 18
          supervisor?
04:24:15 19
                    General -- general supervisor? I did not say
04:24:27 20
                     Never mentioned general supervisor.
          that word.
04:24:35 21
          might understand it wrong.
04:24:37 22
              Q.
                    Okay. The sentence continues: "Being
          addressed by the general supervisor that he would need
04:24:47 23
04:24:49 24
          to cut his beard even though it had been between the
04:24:53 25
          period of Ramadan, which is a very significant and
```

```
spiritual period for Muslims to keep their culture and
      1
04:24:57
04:25:01
      2
          heritage strong."
                          Did I read that right?
04:25:02
              Α.
04:25:03
                    Yes.
                    What do you mean by "had been between the
04:25:03
          period of Ramadan"?
04:25:06
      6
04:25:08
                    It means close to Ramadan or the end of
          Ramadan.
04:25:21
     8
                    Okay. And I know I asked you previously but
04:25:21
              Ο.
          do you recall when Ramadan was in 2021?
04:25:25 10
                    I don't remember.
04:25:27 11
              Α.
                    And what about in 2022?
04:25:28 12
              Ο.
04:25:32 13
              Α.
                    I can't recall the month exactly.
                    The next sentence continues with:
04:25:43 14
              Ο.
          general supervisor and Patrick had enforced the rule on
04:25:46 15
          Twana to shave his beard."
04:25:50 16
04:25:54 17
                          Did I read that correctly?
04:25:55 18
              Α.
                    Yes. But the phrase of -- you read it
04:25:57 19
          correctly, yes. But the general supervisor, I don't
04:26:00 20
          know where that came from.
                    Okay. So if it's talking about the general
04:26:01 21
04:26:04 22
          supervisor and Patrick, would you have identified
04:26:08 2.3
          someone else?
04:26:09 24
                    Supervisor but not the word of general.
              Α.
04:26:16 25
                            This paragraph continues:
                                                           "To Twana's
               Ο.
                    Okay.
```

1 surprise, he had noticed that there had been 04:26:31 04:26:36 2 employees (names and job titles withheld) that had 3 longer beards than him at the facility." 04:26:39 Did I read that correctly? 04:26:42 Yes, you did. 04:26:43 Α. Why didn't you give names and job titles at 04:26:44 Ο. 04:26:49 7 that time? Α. Because I did not know their names 04:26:49 8 specifically. Their -- the gentleman's name, the 04:26:52 Hispanic gentleman, the one with the tattoo. And it 04:26:56 10 04:26:59 11 was very hard for me to say some names because of the 04:27:02 12 accent and things like that. I don't -- I don't 04:27:07 13 remanize names, like remanize the -- memorize name. 04:27:12 14 I'm very bad at that. Kind of like it's hard to say 04:27:19 15 sometimes. 04:27:20 16 In your review of this document, is this the Ο. 04:27:32 17 full complaint that you made on the phone that day? 04:27:34 18 Α. But the person that I talked to over the 04:27:37 19 phone, they said to me -- excuse me -- we're gonna take 04:27:45 20 down but we have to breakdown the most important stuff. 04:27:49 21 You can tell me what's going on, what happened, but I 04:27:54 22 have to break it down. By breaking down, basically 04:27:56 23 whatever you're saying, we're gonna written down the 04:27:59 24 most important parts, not the whole complete story of 04:28:01 25 what's going on and what happened. That's the person

```
said over -- that's what the person said to me over the
      1
04:28:05
04:28:07
      2
          phone.
                    Why didn't you include that in your complaint
04:28:07
      3
              Ο.
04:28:15
          against the company?
                                            Objection; vaque.
04:28:17
      5
                         MS. HERNANDEZ:
                    That was -- I believe that was their policy.
04:28:20
      6
              Α.
          And if somebody told you something over the phone, I'm
04:28:31
          gonna do it.
04:28:35
      8
                    (By Mr. Shine) After you filed the hotline
04:28:48
              Ο.
04:28:51 10
          complaint, when were you next contacted by someone from
04:28:53 11
          Allied regarding your complaint?
04:28:56 12
              Α.
                    I don't believe I ever was contacted.
                                                                I don't
04:29:01 13
          recall somebody contacting me. I don't remember on top
04:29:03 14
                        I had to call them back myself, I think.
          of my head.
04:29:14 15
                    And again, looking at page AUS 1257, the
          hotline complaint was opened on 5/25/2022, right?
04:29:26 16
04:29:31 17
              Α.
                    It was opened on the 25th, yes.
04:29:35 18
                    Okav.
                           And your testimony is that you were
              Ο.
04:29:40 19
          never contacted about this?
04:29:41 20
                    I don't remember somebody contacting me
              Α.
04:29:44 21
          regarding my phone call. I don't remember that.
                          (Exhibit No. 26 marked.)
04:29:57 22
04:29:57 23
                    (By Mr. Shine) Twana, I'm handing you an
              Ο.
          email conversation which is labeled AUS 1265 to
04:30:02 24
04:30:15 25
          AUS 1266. At the very bottom of 1265, is that your
```

```
email address?
      1
04:30:19
04:30:20
      2
               Α.
                     Yes, that is.
                     And what date is listed underneath your email
04:30:20
      3
               Ο.
04:30:23
      4
          address?
                     The 25th, 2022, 6:00 p. -- 6:00 a. -- 6:00
04:30:23
      5
               Α.
04:30:27
      6
          p.m.
                     And who was the email addressed to?
04:30:27
               Ο.
               Α.
                     To me.
04:30:31
      8
                     Who did you send the email to?
04:30:37
               Ο.
                     To whatever this person is.
04:30:39 10
               Α.
04:30:41 11
                     Okay. And just above that, did you receive a
               Q.
04:30:44 12
          response from this Catherine Alyea, A-L-Y-E-A?
04:30:47 13
                     This lady?
               Α.
04:30:48 14
               Ο.
                     Yes.
                     Through email? I believe so, I did.
04:30:50 15
               Α.
                     Okay. And in the middle of the page on 1256,
04:30:53 16
               Ο.
04:30:56 17
          is there a date listed when an email was sent to you in
04:31:03 18
          response to your email on the 25th?
04:31:05 19
                     Repeat your question, please.
               Α.
04:31:08 20
                             In the middle of 1265, it says from
               Ο.
                     Sure.
04:31:15 21
          Catherine Alyea to twana_score202020@yahoo.com.
04:31:24 22
          see where I'm referring to?
               Α.
04:31:26 23
                     Yes.
                     And there's a date when that email was sent to
04:31:26 24
               Ο.
04:31:30 25
          you, which says Thursday May 26, 2022, correct?
```

```
This one?
                                 12:45?
      1
               Α.
04:31:35
04:31:38
      2
               0.
                     Yes, but the date prior to that --
04:31:40
      3
                     Yeah.
               Α.
                     -- says Thursday, May 26, 2022, correct?
04:31:40
               Ο.
04:31:43
               Α.
                     Yes, yes.
                     And it says -- the body of the message says:
04:31:44
      6
               Ο.
04:31:48
          "Hello, Twana.
                             I'm tied up today so I am asking Wayne,
          the HR representative, to give you a call.
04:31:52
      8
          follow up with him later today. Thanks."
04:31:55
                          Did I read that correctly?
04:31:58 10
04:31:59 11
               Α.
                     Yes, you did.
04:32:00 12
                     Immediately above that, at the very top of the
               Ο.
04:32:02 13
          page, there's an email from a Wayne Oliver to you,
04:32:08 14
          correct?
04:32:09 15
               Α.
                     Yes.
04:32:11 16
               Ο.
                     And the date on that says Thursday, May 26,
          2022, correct?
04:32:15 17
04:32:15 18
               Α.
                     Yes, on the 26th.
04:32:17 19
                     "Good afternoon, Twana. Do you have a number
               Ο.
04:32:19 20
          that you can be reached at?
                                            Thanks."
04:32:21 21
                          Did I read that correctly?
04:32:22 22
               Α.
                     Yes.
                     And so again, is your testimony that you never
04:32:22 23
          received a follow-up to your complaint that you made?
04:32:25 24
                     A follow-up by the hotline people, not the HR.
04:32:28 25
               Α.
```

| | Г | |
|------------|----|---|
| 04:32:31 | 1 | Q. At some point did you talk to Wayne Oliver |
| 04:32:45 | 2 | about your complaint? |
| 04:32:46 | 3 | A. Yes. |
| 04:32:46 | 4 | Q. And at some point did you have discussions |
| 04:32:47 | 5 | with Wayne Oliver about your complaint? |
| 04:32:50 | 6 | A. I have spoke to him, yes. |
| 04:32:52 | 7 | Q. How did you communicate with Wayne? |
| 04:32:55 | 8 | A. Over the phone. |
| 04:32:56 | 9 | Q. Did you ever talk to him in an email? |
| 04:32:58 | LO | A. Maybe maybe yes, maybe not. Can't |
| 04:33:03 | L1 | remember. But I think a little bit of email and phone |
| 04:33:10 | L2 | calls. |
| 04:33:10 | L3 | Q. Okay. And did Wayne tell you that he was |
| 04:33:18 | L4 | investigating your hotline complaint? |
| 04:33:20 | L5 | A. I think so. |
| 04:33:30 | L6 | Q. And at some point did Wayne ask you for more |
| 04:33:39 | L7 | information about your complaint? |
| 04:33:40 | L8 | A. Yes. To go over with him what happened and |
| 04:33:44 | L9 | explain what's going on. |
| 04:33:46 2 | 20 | Q. And did you provide him with that more |
| 04:33:49 2 | 21 | information that he requested? |
| 04:33:50 2 | 22 | A. Yes, over the phone. |
| 04:33:51 2 | 23 | Q. Was it only over the phone? |
| 04:33:58 2 | 24 | A. I don't I don't remember if it was just |
| 04:34:00 2 | 25 | over the phone. I think by email. And I think |

```
majority of it was over the phone because we spent a
      1
04:34:03
04:34:08
      2
          portion of the time, I remember, over the phone.
          was -- it was in the afternoon area and I was on the
04:34:13
      3
04:34:18
      4
          phone with him to try to explain to him what's going on
          and what happened. Maybe some of it during email
04:34:20
      5
04:34:25
      6
          address. I can't remember exactly. But I think over
04:34:28
          email too.
                          (Exhibit No. 27 marked.)
04:34:49
      8
                    (By Mr. Shine) Twana, I'm handing you a copy
04:34:49
              Ο.
          of an email that you sent to Wayne Oliver which is
04:34:51 10
          labelled AUS 1332 to 1334.
04:34:54 11
04:34:59 12
              Α.
                    Right.
04:34:59 13
                    When did you send this email to Wayne?
              Ο.
                    8/22/2022, 7:23:13 p.m.
04:35:05 14
              Α.
04:35:20 15
                    And I apologize. You said 8/2022?
              Ο.
                    Yeah, the date 8.
04:35:25 16
              Α.
04:35:27 17
              Ο.
                    Please follow along as I read the date that's
04:35:30 18
          on here.
04:35:30 19
              Α.
                    Okay.
04:35:31 20
                    Wednesday, June 8, 2022. Did I read that date
               Ο.
04:35:34 21
          correctly?
04:35:34 22
              Α.
                    Yes.
                           June, yeah. June 8, yeah.
                    And so why did you send this email to Wayne?
04:35:37 23
              Ο.
04:35:50 24
                    Explaining, I think, my situation and what's
              Α.
04:35:52 25
          going on and what happened.
```

Okay. And at this point in June of 2022 is it 1 04:35:54 Ο. 04:36:05 2 your understanding that Wayne was still investigating your hotline complaint? 04:36:07 3 I believe so. 04:36:09 4 Α. After you filed your hotline complaint and 04:36:11 started working with Wayne, did you ever have any 04:36:17 6 further conversation with Patrick Freeney? 04:36:21 Α. Can't recall that. 04:36:24 8 Did Wayne ever provide you with a conclusion 04:36:29 Ο. 04:36:37 10 of your investigation? 04:36:38 11 Can't recall that. What do you mean by Α. 04:36:43 12 "conclusion"? A decision, you mean? 04:36:45 13 Did Wayne ever communicate a decision to you 04:36:49 14 about your complaint? 04:36:52 15 I think he said the decision has been made Α. already from way above me and there's nothing I can do. 04:36:56 16 04:37:05 17 I believe what you saying did happen, but there's 04:37:10 18 nothing I can do about it. The decision already have 04:37:14 19 came down. When he said that, he did not say it over 04:37:18 20 He said it over the phone. 04:37:20 21 Ο. And you're saying that Wayne said he believed 04:37:24 22 you and --04:37:25 23 Α. He did say that, yes. 04:37:28 24 So would it surprise you if I were able to Ο. 04:37:31 25 produce an affidavit from Wayne saying that he never

| 04:37:33 1 | said that to you? |
|-------------|--|
| 04:37:34 2 | A. You can do that. But that's not what he |
| 04:37:37 3 | that's what he said to me. He says I'm not arguing |
| 04:37:41 4 | what you're saying. I'm not saying this has not |
| 04:37:43 5 | happened. I believe what you're saying. But the |
| 04:37:48 6 | decision has been made already about you and there's |
| 04:37:53 7 | not much I can do. |
| 04:37:54 8 | Q. And you said this was over the phone? |
| 04:38:02 9 | A. Over the phone, correct. |
| 04:38:03 10 | Q. Okay. What date did he call you? |
| 04:38:05 11 | A. I don't remember. |
| 04:38:06 12 | Q. Was it before or after you sent this email |
| 04:38:10 13 | that we've been talking about? |
| 04:38:11 14 | A. I don't remember exactly. |
| 04:38:13 15 | Q. What time did he call you? |
| 04:38:18 16 | A. From 12:00 to 3:00. Approximately around that |
| 04:38:26 17 | time. Because it was a hot summer and I was outside in |
| 04:38:33 18 | the sun talking to him so I can have enough |
| 04:38:37 19 | understanding and clearance of what he says, not to be |
| 04:38:42 20 | disturbed around my surrounding. So I went outside and |
| 04:38:46 21 | talked to him. |
| 04:38:46 22 | Q. Where were you when you got this phone call? |
| 04:38:49 23 | A. I was at my friend's house. |
| 04:38:54 24 | Q. Which friend? |
| 04:38:55 25 | A. A family friend. |

```
I don't recall that, if I did or did not.
     1
04:52:26
04:52:29
      2
          Maybe I did, maybe not. Not too sure.
                    Twana, during your time with Allied Universal
04:52:32
      3
              Ο.
          did you receive any discipline?
04:52:38
     4
                    No, I did not.
04:52:39
      5
              Α.
                          (Exhibit No. 30 marked.)
04:53:01
04:53:01
                    (By Mr. Shine) Twana, I'm handing you a copy
          of a discipline notice that was issued on February 14th
04:53:03
     8
          of 2022, labeled AUS 34. Have you seen this document
04:53:07
          before?
04:53:11 10
                    No, I have not seen this document.
04:53:11 11
              Α.
04:53:15 12
                    At the top of the page, would you agree that
              Ο.
          it says "Twana Ahmed"?
04:53:17 13
                    That is correct.
04:53:19 14
              Α.
04:53:20 15
                    Do you remember what your employee ID number
          was at the time that you were employed by Allied?
04:53:23 16
                    No, I do not remember. Like, on my head right
04:53:26 17
              Α.
          now, I do not remember it. I can't recall this
04:53:29 18
04:53:32 19
          document, like, seeing it. I can't recall it.
04:53:35 20
                    So your testimony today is that you've never
          seen this document?
04:53:38 21
04:53:39 22
                    I'm not saying I've never seen it but I don't
          remember. This is not my handwriting. This is not my
04:53:42 23
04:53:45 24
          handwriting. This is not my handwriting.
04:53:47 25
                    Well, of course. If you look at the bottom,
              Ο.
```

| | г | |
|------------|----|---|
| 04:55:26 | 1 | document that's identified as a disciplinary notice |
| 04:55:29 | 2 | that was issued to you on April 5th of 2022. Have you |
| 04:55:35 | 3 | seen this document before? |
| 04:55:36 | 4 | A. No. |
| 04:55:36 | 5 | Q. Would you agree with me at the top it |
| 04:55:39 | 6 | identifies employee name with your name, Twana Ahmed, |
| 04:55:41 | 7 | listed? |
| 04:55:42 | 8 | A. That is my name. |
| 04:55:43 | 9 | Q. Specifically this form references the |
| 04:55:50] | LO | April 4th, 2022, incident at the H-E-B store. Did you |
| 04:55:55] | L1 | ever receive a document writing you up for that? |
| 04:55:58] | L2 | A. Which incident? |
| 04:55:59] | L3 | Q. The April 4th, 2022, incident. |
| 04:56:14 | L4 | A. Is this the one you are talking about came |
| 04:56:18] | L5 | from Patrick Freeney or given to me on the scene? |
| 04:56:20] | L6 | Which one is it exactly so I can remember. |
| 04:56:22] | L7 | Q. I'm asking you: Did Patrick Freeney give you |
| 04:56:25] | L8 | this document? |
| 04:56:25] | L9 | A. Patrick Freeney gave me statements, wrote them |
| 04:56:30 2 | 20 | to me. And I refused to sign it. It could be this |
| 04:56:34 2 | 21 | one, it could be not. I can't remember. |
| 04:56:36 2 | 22 | Q. Okay. Just a few final questions, Twana. |
| 04:56:50 2 | 23 | A. Yes. |
| 04:56:50 2 | 24 | Q. Are you currently married? |
| 04:56:52 2 | 25 | A. No, I'm not. |

```
1
               Α.
                    Thank you.
05:09:34
05:09:34
      2
                    Other than high school, have you pursued any
               ο.
          further education? Like, did you go to college or get
      3
05:09:37
05:09:44
      4
          any other degree?
                    I got a degree, certification, if you call
05:09:45
      5
                           Like, for example, the security
05:09:47
      6
          certifications for the commissioned officer, like, be
05:09:50
                   And certification for noncommissioned officer,
05:09:54
      8
          that's the unarmed license for -- certified license for
05:09:57
      9
          forklift, if you want to call that a certification.
05:10:06 10
05:10:08 11
               Q.
                    Okay.
05:10:09 12
               Α.
                    I'm licensed at CPR. Would you call that a
05:10:20 13
          license?
05:10:20 14
               Ο.
                     Sure.
                    I have that too, CPR license.
05:10:20 15
               Α.
                    Okay. Any other additional schooling, like at
05:10:23 16
               Ο.
05:10:28 17
          a university or a college that you attended?
05:10:31 18
               Α.
                    I can't recall, no.
05:10:36 19
                    And it's my understanding that you may have
               Ο.
05:10:41 20
          served in the US military; is that correct?
05:10:44 21
               Α.
                    I have some experience, yes.
05:10:52 22
          affiliation -- affiliation to the military, yes.
05:10:54 23
                    When you say "affiliation to the military," is
               Ο.
          it the US military?
05:10:57 24
05:10:59 25
               Α.
                    Yes.
```

| 05:10:59 1 | Q. And which branch? |
|-------------|---|
| 05:11:00 2 | A. Multiple different branches. |
| 05:11:03 3 | Q. Okay. Including which branches? |
| 05:11:05 4 | A. Army and Marine Corps. |
| 05:11:13 5 | Q. What did you do in the Army? |
| 05:11:15 6 | A. Did for the Army? I did linguistic and things |
| 05:11:25 7 | like that. |
| 05:11:26 8 | Q. And what did you do with the Marine Corps? |
| 05:11:28 9 | A. Same thing. |
| 05:11:29 10 | Q. Were you assigned were you considered sort |
| 05:11:31 11 | of active duty in those roles? |
| 05:11:34 12 | A. I don't know if you want to call them active |
| 05:11:36 13 | duty or not. It was translation job. I don't know |
| 05:11:42 14 | what you mean by, like, active duty. |
| 05:11:43 15 | Q. Sure. Did you work as a civilian translator |
| 05:11:47 16 | for the Army and the Marine Corps, or were you an |
| 05:11:52 17 | enlisted member? |
| 05:11:53 18 | A. I was with both of them at the time was |
| 05:11:58 19 | I had a uniform but it was civilian, I believe. |
| 05:12:02 20 | Q. Okay. And when did you work for the Army? |
| 05:12:07 21 | A. A long time ago. And the Marine Corps was a |
| 05:12:12 22 | long time ago. |
| 05:12:13 23 | Q. When you say "a long time ago," was that five |
| 05:12:16 24 | years ago? |
| 05:12:17 25 | A. Oh, more than that. |

| 05:37:46 1 | A. I don't have the funds. |
|-------------|--|
| 05:37:48 2 | Q. Have you looked into any, you know, free |
| 05:37:51 3 | clinics that might be available in Houston? |
| 05:37:53 4 | A. No, I did not because a lot of those doctors, |
| 05:37:58 5 | they want health insurance and money and I don't have |
| 05:38:00 б | the funds for them. |
| 05:38:10 7 | Q. Are you currently taking any medications? |
| 05:38:12 8 | A. Right now? No. At this moment, no. |
| 05:38:17 9 | Q. So you claim that you've suffered emotional |
| 05:38:24 10 | distress because of how Allied treated you. What are |
| 05:38:27 11 | your symptoms of emotional distress? |
| 05:38:29 12 | A. The the emotional distress that happened to |
| 05:38:33 13 | me: Loss of hair, the losing ability to sleep, growing |
| 05:38:45 14 | gray hair very fast, giving me the the to pull my |
| 05:38:58 15 | hair my hairs out of my face. Being in a situation, |
| 05:39:09 16 | being in corner by myself and crying. And sometimes I |
| 05:39:13 17 | wake up in the middle of the night. I done it went |
| 05:39:19 18 | to the church in the middle of the night, sit outside |
| 05:39:21 19 | of the church and just cried and cried and cried. |
| 05:39:24 20 | Q. When you say "the church," my understanding, |
| 05:39:26 21 | based on the Muslim religion |
| 05:39:26 22 | A. Yes. |
| 05:39:28 23 | Q is that it's a mosque? |
| 05:39:30 24 | A. No. Christian a Christian church. |
| 05:39:37 25 | Q. Okay. And you just went outside the church? |

| | [| |
|----------|----|---|
| 05:39:44 | 1 | A. Yes. Sit outside, yeah. |
| 05:39:46 | 2 | Q. Was it because it was closed? |
| 05:39:47 | 3 | A. Yes. |
| 05:39:48 | 4 | Q. Did anyone at the church ever see you there? |
| 05:39:51 | 5 | A. No. |
| 05:39:52 | 6 | Q. Did you ever go back during times when it was |
| 05:39:56 | 7 | open to talk to anyone? |
| 05:39:57 | 8 | A. No. I just needed time by myself. |
| 05:39:59 | 9 | Q. And as we sit here today, Twana, are you still |
| 05:40:08 | 10 | experiencing all of that? |
| 05:40:10 | 11 | A. Yes. |
| 05:40:11 | 12 | Q. So you still have difficulty sleeping? |
| 05:40:17 | 13 | A. Yes. |
| 05:40:17 | 14 | Q. And you still go sit at the church and cry? |
| 05:40:20 | 15 | A. I do that sometimes, I sit outside of the |
| 05:40:24 | 16 | church. |
| 05:40:24 | 17 | Q. When's the last time you went to the church? |
| 05:40:27 | 18 | A. A couple of weeks ago. |
| 05:40:32 | 19 | Q. Which church do you go to? |
| 05:40:37 | 20 | A. It's the one on Sam Houston and Briar Forest |
| 05:40:42 | 21 | area. And there is another one I go sit over there, |
| 05:40:46 | 22 | it's off of Memorial City area. It's a big megachurch |
| 05:40:54 | 23 | that I go sit in the parking lot or sometimes in the |
| 05:40:59 | 24 | stair of the church, just sit outside the door. |
| 05:41:02 | 25 | Q. Do you find this litigation process to be |

```
stressful, Twana?
      1
05:41:04
05:41:06
      2
               Α.
                     Can you be more, like --
05:41:13
                              Let me try to rephrase it for you.
               Ο.
05:41:15
      4
                           We've been talking about a lawsuit that
          you filed --
05:41:18
      5
05:41:18
               Α.
                     Correct.
05:41:19
                     -- against Allied, right?
               Ο.
               Α.
                     Correct.
05:41:21
      8
                     And you filed this lawsuit back in 2023.
05:41:21
               Ο.
05:41:25 10
               Α.
                     Right.
05:41:25 11
                     Here we are September of 2024.
               Q.
05:41:28 12
               Α.
                     Correct.
05:41:29 13
                     Has this process, getting to today or even
               Ο.
05:41:33 14
          today, been stressful for you?
05:41:35 15
                     It's a process and I have to follow the
               Α.
05:41:37 16
          process.
05:41:37 17
               Ο.
                              I appreciate that you're following the
05:41:40 18
          process. But the question is: Was it -- has this been
05:41:43 19
          stressful for you?
05:41:44 20
               Α.
                     Yes.
                     Is being away from your family been stressful
05:41:53 21
               Ο.
05:41:57 22
          for you?
05:42:03 23
               Α.
                     Yes.
05:42:03 24
                     Do you get the opportunity to talk to them on
05:42:05 25
          a regular basis?
```

| | | Ţ |
|-------------|-----------|--|
| 05:42:05] | Α. | On the phone, correct. |
| 05:42:08 2 | Q. | When's the last time you talked with your mom? |
| 05:42:16 | Α. | Last week. |
| 05:42:19 | Q. | What about your dad? |
| 05:42:21 | Α. | Last week. |
| 05:42:23 | Q. | Do you talk to your siblings? |
| 05:42:25 | A. | Yeah. |
| 05:42:26 | Q. | When's the last time you talked to your |
| 05:42:28 | brother? | |
| 05:42:28 10 | Α. | When I was talking to my mom. |
| 05:42:30 11 | Q. | And what about your three sisters? |
| 05:42:32 12 | Α. | They were next to my mom. |
| 05:42:34 13 | Q. | Okay. Would you say it's hard to be away from |
| 05:42:40 14 | your fami | ly? |
| 05:42:40 15 | A. | It's very hard. |
| 05:42:41 16 | Q. | And then understanding that you aren't really |
| 05:42:50 17 | working a | and money has been hard for you, would you say |
| 05:42:54 18 | that not | having money has also been very challenging |
| 05:42:57 19 | for you? | |
| 05:42:58 20 | Α. | Yeah. |
| 05:42:58 21 | Q. | Do you have any other major stressors in your |
| 05:43:05 22 | life, Twa | ına? |
| 05:43:07 23 | Α. | Sorry. What do you mean? |
| 05:43:08 24 | Q. | Are there anything is there anything else |
| 05:43:10 25 | in your l | ife that's causing a lot of stress for you |

| 05:43:14 1 | right now? |
|-------------|---|
| 05:43:14 2 | A. Except what I'm going through. |
| 05:43:17 3 | Q. So if we look at a scale of sort of your |
| 05:43:29 4 | emotional stress of a hundred percent do you |
| 05:43:35 5 | understand what a hundred percent is? |
| 05:43:36 6 | A. Yeah. |
| 05:43:37 7 | Q. What percentage of that 100 percent do you |
| 05:43:42 8 | attribute to Allied Universal? |
| 05:43:43 9 | A. If if I'm going to try to answer it the |
| 05:43:54 10 | way if Allied wouldn't if Allied didn't done that |
| 05:44:01 11 | to me, I wouldn't be in these shoes right now I'm in. |
| 05:44:07 12 | So I do blame Allied Universal for what had been done |
| 05:44:14 13 | to me. |
| 05:44:15 14 | Back to your question. The percentages, |
| 05:44:18 15 | there is no number you can put on it. |
| 05:44:22 16 | Q. But as we sit here, Twana, you testified about |
| 05:44:25 17 | other things that have been hard. |
| 05:44:27 18 | A. Right. |
| 05:44:27 19 | Q. Like being away from your family. |
| 05:44:29 20 | A. Right. |
| 05:44:30 21 | Q. Not having money right now. |
| 05:44:32 22 | A. Right. |
| 05:44:32 23 | Q. Those are creating a percentage as well. |
| 05:44:38 24 | A. Right. |
| 05:44:39 25 | Q. And so if you had to identify a percentage |

```
that you would assign to Allied Universal, what
      1
05:44:42
05:44:45
      2
          percentage would that be?
                    Just being away from the family does bring
05:44:47
      3
              Α.
05:44:55
      4
          stress, correct, you are correct. But when you have
          the funds coming in and you send it home, you put a
05:44:59
      5
          smile on your parents' face and your mom's and dad.
05:45:02
      6
05:45:06
          That will reduce the stress on you, especially when
          they ask you for something in the time of need and you
05:45:10
      8
          turn around and say I cannot do anything about it.
05:45:14
          that will elevate the stress, if you understand what I
05:45:18 10
          said.
05:45:26 11
05:45:26 12
                          A number?
                                       I cannot put a number on it,
05:45:29 13
          honestly.
05:45:29 14
                    Is it more than 10 percent?
              Ο.
05:45:31 15
                    Oh, way more than that.
              Α.
                    Is it 15 percent?
05:45:32 16
               Ο.
05:45:34 17
              Α.
                    More than 70 percent.
05:45:35 18
                    Twana, when you're not working for DoorDash,
              Ο.
05:45:51 19
          what do you normally do during the day?
05:45:53 20
                    I just sit and keep it to myself.
              Α.
05:46:03 21
              Q.
                    Do you play any sports?
05:46:04 22
              Α.
                    No.
05:46:05 23
                    Do you have any hobbies? Like, do you go
              Ο.
          hiking or go to the mall? I don't know. Do you have
05:46:08 24
05:46:12 25
          any hobbies?
```

If you go to the mall and there's something 05:46:12 1 Α. 05:46:15 2 that you want to buy, you don't have the funds for it so it's kind of hard, so I stay away from those areas. 05:46:18 3 05:46:21 Ο. Okay. Hobbies, like you said, hiking, there's no 05:46:22 places to go to hike in Houston. You know, walk around 05:46:25 6 05:46:31 a park somewhere, just walk around the park and sit by yourself and just, like, think -- think things through. 05:46:34 8 Things like that, you know. Or most things makes me 05:46:40 feel better, listening to the Quran will relax me. 05:46:45 10 feel -- after that, it just releases everything out of 05:46:53 11 05:46:55 12 my body, like, and I go to sleep. 05:46:57 13 I know we briefly touched on some of the 05:47:02 14 religious practices that you actually practice. 05:47:05 15 Α. Yes. 05:47:06 16 Do you belong to a mosque or any other, I 05:47:11 17 quess, sort of -- I don't want to say, like, building; 05:47:14 18 but is there -- is there a place that you go 05:47:16 19 religiously on a weekly or a monthly basis? 05:47:19 20 Here? No, I don't. Because like you said --I said earlier, over here the mosques are completely 05:47:26 21 different from the way they operate over there. 05:47:31 22 05:47:38 23 completely different thing, so that's why I don't go. It's not like over there. Here it's in English, so 05:47:41 24 05:47:47 25 when they translate things, I don't understand it

```
1
          clearly. So I'd rather listen to it on the phone, in
05:47:50
05:47:52
      2
          my own language, it would be more clear to me.
      3
                     Okay. Are there any community groups that you
05:47:58
               Ο.
05:48:01
      4
          belong to?
                     What's community groups?
05:48:01
               Α.
                             It could be anything from like a Boys
05:48:03
      6
          and Girls Club, where you might go and volunteer.
05:48:05
                     No.
05:48:09
      8
               Α.
05:48:10
               Ο.
                     No?
05:48:11 10
               Α.
                     No.
05:48:11 11
                     Have you ever lost a really close relative?
               Q.
05:48:14 12
               Α.
                     What do you mean by a relative?
05:48:18 13
                     So when you were talking earlier about blood
               Ο.
          family, for example.
05:48:21 14
               Α.
05:48:22 15
                     Yes.
                     Have you ever lost a close family member?
05:48:23 16
          by "lost," I mean has anyone ever passed away in your
05:48:26 17
          lifetime?
05:48:30 18
05:48:30 19
               Α.
                     No.
05:48:36 20
                     You've never lost a family member?
               Ο.
05:48:38 21
               Α.
                     Thank God, no.
05:48:39 22
               Q.
                     Okay. What about a close friend? Have you
          ever lost a close friend?
05:48:43 23
05:48:44 24
               Α.
                     Yes.
05:48:44 25
                     And thinking about how you felt when your
               Ο.
```

| 05:48:49 1 | friend passed away |
|-------------|--|
| 05:48:50 2 | A. Yes. |
| 05:48:51 3 | Q how would you say being terminated from |
| 05:48:59 4 | Allied compares to losing a close friend? Which one is |
| 05:49:03 5 | worse? |
| 05:49:03 6 | A. Losing a friend, it's a very bad thing, |
| 05:49:08 7 | especially when the person was there before |
| 05:49:12 8 | 30 minutes 30 minutes before what happened to him, |
| 05:49:15 9 | you were last person or the last couple of persons to |
| 05:49:18 10 | see him. That's what happened to him. That brings a |
| 05:49:23 11 | toll on me, yes. But when time comes, people move on. |
| 05:49:32 12 | People move on in life and they start new chapters in |
| 05:49:35 13 | their life. So it's a completely different thing from |
| 05:49:43 14 | what I'm going through. |
| 05:49:47 15 | Q. Okay. Are you aware that Allied Universal has |
| 05:49:53 16 | expressed an interest in trying to see if there was a |
| 05:49:57 17 | way to resolve your lawsuit? |
| 05:49:58 18 | A. I did not understand the way of your question. |
| 05:50:01 19 | Q. Sure. Let me try to rephrase. |
| 05:50:03 20 | A. Okay. |
| 05:50:03 21 | Q. Are you aware that Allied Universal has asked |
| 05:50:05 22 | if there was an opportunity to resolve your lawsuit? |
| 05:50:10 23 | A. If there is, my attorney will or my counsel |
| 05:50:14 24 | will be aware of that. |
| 05:50:15 25 | Q. Sure. I'm not asking what your counsel is |

```
1
          aware of or not.
05:50:17
05:50:18
              Α.
                    Oh.
                    I'm asking if you're aware.
05:50:19
              Ο.
                         Like, aware of that, no.
05:50:21
              Α.
                    No.
                    Have you personally thought about what
05:50:23
      5
          resolution you would like to see in this case?
05:50:26
      6
05:50:33
                    Yes.
                    And what -- what -- what would be the -- what
05:50:34
      8
              Ο.
          would be your resolution if you got to control
05:50:40
      9
          everything, Twana?
05:50:43 10
05:50:44 11
                    It's not me controlling everything. I want
              Α.
05:50:48 12
          Allied to realize they treated me unfairly.
05:50:53 13
          realize the process that they put me through, it's
05:50:58 14
          unfairly, to admit what they -- what they -- to admit
05:51:02 15
          what they did to me was wrong. I shouldn't been
05:51:06 16
          treated that way. And the process they done towards me
05:51:09 17
          was completely wrong, to bear responsibility of what
05:51:12 18
          happened to me and what I'm going through.
05:51:14 19
                    Okay. And so for them to be able to do that,
              Ο.
05:51:19 20
          is it -- you want them to, like, give you a document
05:51:23 21
          that says that? Or what are you sort of hoping might
          be a resolution for this case?
05:51:26 22
05:51:31 23
              Α.
                    It depends on the company. I cannot make the
05:51:35 24
          company give me something. It's all up to their --
05:51:40 25
          people in the company to make that decisions and to --
```

```
Just in general, if you had an opportunity to
      1
06:00:29
               Ο.
06:00:31
      2
          go back to Allied, would you -- would you consider
      3
          qoing back?
06:00:32
06:00:33
      4
               Α.
                    Yes.
                    And that's notwithstanding your prior
06:00:33
      5
06:00:38
      6
          involvement with Patrick Freeney?
06:00:40
                    Nothing to do with Mr. Freeney or anything
                        To be treated fairly, respectfully, and
06:00:44
      8
          dignity. And treat me with those things I said and
06:00:47
06:00:54 10
          treat other employees, no matter their religions, their
06:00:58 11
          belief, their race, where they come from, with dignity
06:01:07 12
          and respect.
06:01:09 13
                                        That wraps up my questioning.
                          MR. SHINE:
06:01:09 14
                          MS. HERNANDEZ:
                                             Okay.
06:01:13 15
                          MR. SHINE:
                                        Did you want to take a break
06:01:14 16
          or are you good to go?
06:01:16 17
                          MS. HERNANDEZ: Maybe just like five
06:01:18 18
          minutes.
06:01:18 19
                                        Can we go off the record?
                          MR. SHINE:
06:01:20 20
                          THE VIDEOGRAPHER:
                                                Off the record at
06:01:21 21
          6:00 p.m.
06:01:24 22
                           (Off the record 6:01 p.m. to 6:06 p.m.)
06:06:49 23
                          THE VIDEOGRAPHER: Back on the record at
06:06:56 24
          6:06.
06:06:56 25
```

| 06:06:56 1 | EXAMINATION |
|-------------|---|
| 06:06:57 2 | BY MS. HERNANDEZ: |
| 06:06:57 3 | Q. Twana, I just want to clarify a couple of |
| 06:07:03 4 | things in your testimony today to make sure that we |
| 06:07:05 5 | have an accurate understanding. |
| 06:07:09 6 | Earlier on I believe Nathan asked you |
| 06:07:16 7 | when you first started thinking about filing a lawsuit |
| 06:07:22 8 | against Allied. Do you remember that question? |
| 06:07:25 9 | A. Nathan? |
| 06:07:30 10 | Q. I'm sorry. His name is Nathan. Opposing |
| 06:07:34 11 | counsel's name is Nathan. |
| 06:07:34 12 | A. Oh. |
| 06:07:38 13 | Q. So he asked you do you remember that he |
| 06:07:39 14 | asked you a question, something along the lines of when |
| 06:07:42 15 | did you first start thinking about filing a lawsuit |
| 06:07:44 16 | against Allied? |
| 06:07:45 17 | A. Yes. |
| 06:07:45 18 | Q. Okay. |
| 06:07:46 19 | A. I got confused. Sorry I cut you off. I got |
| 06:07:49 20 | confused with another Nathan that he brought up the |
| 06:07:53 21 | name. I was like, No. |
| 06:07:55 22 | Q. Right. And so if I remember correctly, I |
| 06:07:58 23 | heard a couple of different answers. Is it your |
| 06:08:05 24 | testimony that you first started thinking about filing |
| 06:08:07 25 | a lawsuit against Allied after your interaction with |

```
Patrick?
      1
06:08:12
06:08:13
      2
               Α.
                     Yes.
                     Okay. Would that have been in December of
06:08:13
               Ο.
          2021?
06:08:19
      4
                     Somewhere around there.
06:08:20
      5
               Α.
                     You were first hired in December of 2021,
06:08:22
      6
               Ο.
      7
          correct?
06:08:26
               Α.
                     Yes.
06:08:26
      8
                     And I believe you testified it was about a
06:08:27
               Ο.
06:08:31 10
          month or two months after that that you went through
06:08:34 11
          the Elite training, correct?
06:08:36 12
               Α.
                     That's correct.
06:08:36 13
                     So that would have been either January or
               Ο.
          February of 2022, right?
06:08:40 14
06:08:43 15
               Α.
                     Yes.
                     And when did you first meet Patrick?
06:08:43 16
               Ο.
06:08:47 17
               Α.
                     The first time I ever met Patrick, it was
06:08:50 18
          during the Elite training.
06:08:50 19
               Ο.
                     Okay.
06:08:52 20
                     That's the first time I ever met him.
               Α.
06:08:54 21
               Ο.
                     So that would have been either in January of
          2022 or February of 2022, correct?
06:08:57 22
                     Correct.
06:09:00 23
               Α.
                     So is it accurate to say that you did not
06:09:01 24
06:09:06 25
          first start thinking about filing a lawsuit against
```

```
Allied until after or during that Elite training?
      1
06:09:08
06:09:14
      2
               Α.
                    Of course, because I had no issue with Allied
          whatsoever before the Elite. Absolutely not.
06:09:19
      3
06:09:21
      4
               Ο.
                    Okay. So that would not have been in December
          of 2021, right?
06:09:23
      5
06:09:25
      6
               Α.
                    Yes.
                    Okay. While I'm looking, at the beginning,
06:09:26
          Nathan -- opposing counsel, the counsel for Allied,
06:09:50
      8
          Nathan Shine --
06:09:54
      9
06:09:56 10
               Α.
                    Yes.
                    -- handed you some documents that I'm looking
06:09:56 11
               Q.
06:09:59 12
          for, but I believe one of them was like a certificate
06:10:03 13
          of new orientation training. Do you remember that?
06:10:09 14
               Α.
                    The documents? Could you show me?
06:10:12 15
          remember that.
                    Let me see if I can find it.
06:10:18 16
               Ο.
06:10:20 17
                    I think it was right below the paper on the
06:10:23 18
          bottom.
06:10:37 19
                    Well, my question is -- oh, here it is.
               Ο.
06:10:41 20
                           I'm sorry. Let me -- it's this document
                   Okay.
          that's Bates labeled AUS 00663.
06:10:57 21
06:11:01 22
               Α.
                    Yes.
                    And it says New Employee -- Employee
06:11:01 23
               Ο.
          Orientation; is that right?
06:11:07 24
06:11:09 25
               Α.
                    Correct.
```

Did you have any new employee training on this 1 Ο. 06:11:09 06:11:18 2 day that's listed on the certificate? At that specific date? Don't recall if I -- I 06:11:24 Α. don't remember if I had any training. I might do, I 06:11:29 4 might not. Not too sure. 06:11:33 5 So before you went through the Elite training, 06:11:35 6 06:11:36 do you remember any other training that Allied gave you? 06:11:38 8 Before? They didn't -- their main 06:11:45 Α. No. training was the Elite training, the qualification for 06:11:49 10 06:11:52 11 the firearm and Taser. That was their main goal to get 06:11:56 12 us that. And during the Elite, they had another 06:11:59 13 training class, the TMO. But before -- after the Elite or anything like that, there was not any training that 06:12:08 14 06:12:11 15 I received. 06:12:11 16 Before Elite training, did you receive any Ο. 06:12:14 17 other training from Allied? 06:12:16 18 Α. No. 06:12:22 19 And then I'm showing you -- I don't Ο. Okay. 06:12:27 20 know what exhibit number it is, but it's labeled AUS 664, and at the top it says "Training Certificate 06:12:32 21 06:12:38 22 Preventing Unlawful Discrimination and Harassment." 06:12:42 2.3 Did I read that correctly? 06:12:43 24 Α. Yes, you did. 06:12:45 25 Were you trained on preventing unlawful Ο.

```
discrimination and harassment --
      1
06:12:49
06:12:49
      2
               Α.
                    No.
06:12:50
                    -- ever?
               Ο.
06:12:51
               Α.
                          They just make us sign the documents and
06:12:55
          then they take it away.
                    Do you remember, on this day or maybe the day
06:12:57
          before, anybody going, like, over any slides with you
06:13:00
          about discrimination or harassment?
06:13:04
      8
06:13:06
               Α.
                    No, no.
                    Going back to something you said earlier --
06:13:15 10
06:13:20 11
          and I think you just mentioned it right now. During
          the Elite training, you mentioned that Monroe was the
06:13:22 1.2
06:13:25 13
          field instructor, correct?
06:13:27 14
               Α.
                    Correct.
                    And you -- I believe opposing counsel asked
06:13:27 15
          you if he was the only instructor. Do you remember
06:13:37 16
06:13:39 17
          that?
06:13:39 18
                    The main instructor for the class, for the
06:13:43 19
          firearm and Taser, CPR, it was Monroe. He was the main
06:13:50 20
          instructor.
                            And I think just a minute ago, you said
06:13:51 21
               Ο.
          there was another instruction from TMO?
06:13:53 22
06:13:58 23
               Α.
                    TMO.
06:13:59 24
                    What --
               Ο.
06:14:00 25
                    That's something called TMO.
                                                       I don't know
               Α.
```

| 06:14:04 1 | what TMO is, but it's something from Allied. I think |
|-------------|---|
| 06:14:09 2 | it's a third-party company, train the hired by |
| 06:14:16 3 | H-E-B, not by Allied. They came in I think they |
| 06:14:24 4 | came in and the instructors left. TMO came, gave us a |
| 06:14:32 5 | class. It was during the Elite program. I believe the |
| 06:14:36 6 | last days or the last two days of the Elite program, |
| 06:14:40 7 | they came in and they had a big screen showing us how |
| 06:14:45 8 | to observe people, how to follow people around, what to |
| 06:14:51 9 | do when things people try to break in and things |
| 06:14:56 10 | like that. But after when the class over, Allied |
| 06:15:03 11 | Universal instructors came inside and all that. They |
| 06:15:05 12 | said, Don't listen to whatever what they said. |
| 06:15:07 13 | Q. Okay. So the TMO instructors were not Monroe? |
| 06:15:11 14 | A. It was not Monroe, no, ma'am. |
| 06:15:14 15 | Q. Okay. And to your understanding, they were |
| 06:15:18 16 | not Allied employees? |
| 06:15:21 17 | A. No, they were not. They were a third-party |
| 06:15:24 18 | company. |
| 06:15:25 19 | Q. When you asked or strike that. |
| 06:15:30 20 | When you told your supervisor that you |
| 06:15:37 21 | wanted to keep your beard for religious purposes, did |
| 06:15:42 22 | the supervisor let you know you could request a |
| 06:15:45 23 | religious accommodation? |
| 06:15:46 24 | A. No, he did not say regarding of that. |
| 06:15:50 25 | Q. When you let Patrick Freeney know that you |

wanted to keep your beard for religious purposes, did 1 06:15:52 06:15:55 2 Patrick Freeney let you know you could request a religious accommodation? 06:15:57 3 Α. 06:15:58 No. Going back, there's -- you mentioned that one 06:16:00 Ο. day you went to the office and you talked to Patrick 06:16:15 6 06:16:18 Freeney in his office involving the allegation that you missed a day of work. 06:16:27 8 Yes. 06:16:29 Α. 06:16:30 10 Ο. Do you remember that? And you mentioned that 06:16:33 11 when you were walking out, you also met with someone 06:16:36 1.2 that you believed to be in HR. 06:16:37 13 Α. Correct. 06:16:38 14 Was that person's name Catherine Barnes? Ο. 06:16:43 15 Α. I believe it was Catherine, the name. Okay. And this was all before you were 06:16:46 16 Ο. 06:16:56 17 suspended; is that right? 06:16:58 18 Yes, those are before -- way before I was Α. 06:17:01 19 suspended. 06:17:01 20 Ο. Okay. And I spoke to her regarding overtime too at 06:17:15 21 Α. 06:17:19 22 the same time. And they mentioned something to me to -- if I wanted -- if I wanted -- they had mentioned 06:17:24 2.3 06:17:26 24 to me if I wanted to work overtime, there is different 06:17:31 25 accounts I can go work over there. For example, if

```
06:17:39
      1
          this person is account manager and this person is
          account manager, I can go to them, ask to -- if they
06:17:43
      2
          need a security officer to work for them.
06:17:46
      3
          instructor told me that too. She told me that too.
06:17:50
     4
                         After that, I met some -- like, I had a
06:17:57
          phone number of somebody; I don't recall her name.
06:18:03
      6
06:18:06
          was account manager for one of the accounts. She said,
          I am willing to give you overtime, time to work with
06:18:10
     8
          me, and I can give you the difference by the overtime.
06:18:16
06:18:21 10
          I can pay you in overtime. I need you to work with me,
06:18:25 11
          but you don't have to use your firearm -- like, the
06:18:30 12
          Elite firearm equipments. Do you have your own stuff?
06:18:33 13
                         I'm was like, Yes, I do.
06:18:35 14
                         She said, You need the permission of
06:18:37 15
          Patrick Freeney for the overtime to -- you need the
          permission to work with me from Patrick because you
06:18:42 16
06:18:46 17
          work with him, that's his account -- that is your boss.
06:18:52 18
          I never got the -- they refused me down to working that
06:18:58 19
          account.
06:18:58 20
                    Who refused to let --
              Ο.
06:19:01 21
              Α.
                    Patrick.
06:19:02 22
              Ο.
                    Okay. Did you tell Catherine Barnes this at
06:19:06 2.3
          that time?
06:19:06 24
              Α.
                    At that time about the accounts?
                                                          No.
                                                                She
06:19:14 25
          gave me the path to take and it didn't work.
```

```
1
                    What do you mean she gave you the path to
06:19:20
              Ο.
06:19:22
      2
          take?
                    Like, basically she gave me -- I can go to
06:19:22
      3
              Α.
06:19:25
     4
          these accounts and ask for people --
06:19:28
      5
              Ο.
                    I see.
                    -- ask for -- she gave me, like, heads-up to
06:19:29
      6
          go to these accounts to get -- ask for extra hours.
06:19:33
                         And even Monroe, he -- he talked to the
06:19:37
     8
          lady and he said she expecting a text from you or a
06:19:40
      9
          phone call and you can call her, introduce yourself to
06:19:45 10
06:19:52 11
          her and she's -- she will help you. She have contracts
06:19:53 12
          with the City of Houston, downtown area, I belief,
06:20:00 13
          12-hour shifts. I don't know how long.
06:20:02 14
                         So I contacted her. I introduced myself,
06:20:06 15
          talked to her. I said, I'm willing to work.
06:20:09 16
                         She said, I have 12-hour shift.
          take 12 hours?
06:20:12 17
                         I was like, Yes, for sure. I can take
06:20:13 18
06:20:16 19
          many hours you got. I have no problem.
06:20:17 20
                         She said, You need permission from your
06:20:19 21
          account manager. And the permission was never granted,
06:20:21 22
          so I was not able to work overtime. But at the same
06:20:25 23
          time, after that happened, I met other officers, they
          were working with me. They were working for different
06:20:28 24
06:20:34 25
          accounts and doing different overtime with different
```

```
accounts, but I was the only one who was not granted
06:20:37
     1
06:20:40
     2
         that opportunity. And that was very -- like, very
         something different, something weird. Why am I not
06:20:43
     3
06:20:47
     4
         granted the opportunity as the other guys? Why these
         guys get an opportunity to work somewhere else with
06:20:50
     5
         different accounts, not me?
06:20:52
     6
06:20:54
                         But there was nobody to go to to do
         something about it because Patrick, he's the one who
06:20:57
     8
         makes the decision. He's the one who pull the trigger
06:21:02
06:21:05 10
         on you, basically. There was nobody to go to complain.
06:21:09 11
         If you go to HR, HR is not helping you. They said that
06:21:14 12
         basically talk to your account manager or we not -- we
06:21:20 13
         don't deal with things like that or -- like, for
         example, overtime. We don't deal with discrimination,
06:21:24 14
06:21:26 15
         we don't deal with this. So there was no -- there was
06:21:29 16
         no other path to take. There was nowhere to go.
06:21:32 17
                         If there was a different path to take or
         a different place to go, I absolutely would have went.
06:21:35 18
06:21:37 19
         I asked for the opportunity to talk to Patrick's boss.
06:21:42 20
         I wanted to sit down with him to listen to me, to side
06:21:46 21
         of my story. They turned me down. They said, Nobody
06:21:48 22
         wants to listen to your dumb ass. Nobody wants to see
06:21:53 23
         you.
06:21:53 24
                         So there was no other path to take.
         There is no other solution to take.
06:21:55 25
```

```
1
               Ο.
                     I'm going to show you what was marked as
06:22:01
06:22:06
      2
          AUS 037.
06:22:07
      3
               Α.
                     Okay.
06:22:07
                     At the top it says "Use of Force Policy
          Acknowledgment."
06:22:16
      5
06:22:17
               Α.
                     Yes.
06:22:17
               Ο.
                     Is that right?
               Α.
                     Yes.
06:22:18
      8
                     And the very first paragraph, I'm going to
06:22:18
               Ο.
          read it --
06:22:24 10
06:22:24 11
               Α.
                     Okay.
06:22:24 12
                     -- and you tell me if what I'm reading is
               Ο.
06:22:28 13
          correct.
06:22:29 14
                     If I understand, okay.
               Α.
06:22:30 15
                     It says, "Less than deadly force."
               Ο.
06:22:30 16
               Α.
                     Okay.
06:22:33 17
               Ο.
                     "It is Allied Universal's policy that
06:22:36 18
          employees shall not use physical force against persons
06:22:40 19
          unless the employee reasonably believes that such force
06:22:48 20
          to be necessary" -- sorry. It's hard to read
06:22:50 21
          upsidedown.
                          "Reasonably believes that such force to be
06:22:54 22
          necessary to protect the employee or another individual
06:22:58 23
          from imminent bodily harm."
06:23:02 24
                           Did I read that correctly?
06:23:04 25
               Α.
                     Yes.
```

| 06:23:04 1 | Q. "The extent of force employed must not exceed |
|-------------|---|
| 06:23:07 2 | the minimum amount of force necessary to counter the |
| 06:23:10 3 | threat and may be employed only for as long as the |
| 06:23:14 4 | threat persists." |
| 06:23:17 5 | Did I read that correctly? |
| 06:23:18 6 | A. Correct. |
| 06:23:19 7 | Q. As you understand this policy and as you were |
| 06:23:29 8 | trained during your Elite training or any other |
| 06:23:33 9 | training that Allied gave to you, was it your |
| 06:23:36 10 | understanding that you were allowed to use restraints |
| 06:23:41 11 | if you felt someone was a threat to your |
| 06:23:44 12 | A. Yes. |
| 06:23:44 13 | Q safety or the safety of others? |
| 06:23:46 14 | A. Yes. |
| 06:23:46 15 | Q. Were you trained during the Elite training |
| 06:23:52 16 | about the Use of Force Policy? |
| 06:23:54 17 | A. I don't think so. I can't recall that. |
| 06:24:18 18 | Q. Okay. But at some point while you were at |
| 06:24:22 19 | Allied, you you were told that you could use |
| 06:24:32 20 | handcuffs if someone was a threat to your safety or the |
| 06:24:35 21 | safety of others? |
| 06:24:36 22 | A. Yes. And they taught us how to place the |
| 06:24:42 23 | handcuff. For example, I remember the instructor said |
| 06:24:44 24 | there's a bone over here. Do not slap cuff the |
| 06:24:50 25 | person. You might end up hurting him. Try to do it |

```
gentle as you can. You put the handcuffs and just,
06:24:55
     1
06:24:57
     2
         like, push it down and handcuffing him.
                         And we did dummy training. So basically,
06:25:00
     3
         we handcuffed each other. Like, the other employee
06:25:03
     4
         handcuffing each other on how to do it. You turn
06:25:07
     5
         around and handcuffing them behind their head.
06:25:11
     6
06:25:14
         do this, don't do that. How to do proper restraints
         and make sure the person is not hurt. Make sure it's
06:25:18
     8
         not tight. They showed us the key has a double lock.
06:25:21
     9
         You can put the -- the upside key to double lock it to
06:25:25 10
         make sure it doesn't tight, it can't hurt his wrist or
06:25:29 11
06:25:34 12
         anything like that. That was part of the training.
06:25:36 13
                   Okay.
                           After the incident at H-E-B on
06:25:46 14
         April 4th, 2022, when Alex showed up to the H-E-B, did
06:25:55 15
         you tell Alex that the man threatened to cut you up?
06:26:01 16
              Α.
                   Yes.
06:26:02 17
                   Okay. Did Alex tell you that he would
         complete the incident report for you in Helius?
06:26:06 18
06:26:16 19
                   He said, Don't worry about anything.
06:26:24 20
          important thing is you need to come to the office
06:26:26 21
         tomorrow. When I was filling up the paper he gave me,
         he goes, like, Don't worry about it. Don't worry about
06:26:29 22
               You don't have to do this either. Come to the --
06:26:32 2.3
          it..
06:26:36 24
         come to the office tomorrow.
06:26:38 25
                         Did he mention Helius?
                                                   I believe so, he
```

```
mentioned Helius. If it's gonna do it or not, I can't
     1
06:26:44
     2
         recall that specifically. But he did not let me
06:26:48
          complete the form, the one I got provided today, he
06:26:52
     3
         didn't let me complete that.
06:26:56
     4
06:26:57
     5
              Ο.
                    Okay.
                    He said, I don't have time. I don't have time
06:26:58
     6
06:27:01
                      I have to go. It's just -- it's taking a
         while to fill it up. It's too much.
06:27:05
     8
                    Okay. Do you remember telling me before that
06:27:09
              Ο.
         Alex told you he would complete the incident report for
06:27:12 10
06:27:15 11
         you in Helius?
06:27:18 12
              Α.
                    Can't recall that.
06:27:32 13
                    Okay. When you met with Patrick Freeney in
          the office after the H-E-B incident, did you tell him
06:27:40 14
06:27:45 15
          that he was discriminating against you?
06:27:47 16
                    Yes, I did.
              Α.
06:27:49 17
              0.
                    Okay.
                           And what did he say?
06:27:52 18
                    I told him, You are discriminate against me.
06:27:58 19
         And that's when he start yelling at me, raising his
06:28:06 20
         voice, his tone of voice. Very aggressively told --
06:28:15 21
         raised his voice of tone towards me. And I was trying
06:28:19 22
          to complete the sentences of what exactly he's saying
06:28:22 23
          to me, like trying to say, Why are you discriminate
06:28:25 24
         against me? I'm being treated not fairly. He didn't
06:28:30 25
         want to listen to what I was trying to tell him at all.
```

```
He was cussing me out, yelling at me, saying very
      1
06:28:32
06:28:38
      2
          provocative word towards me, calling me dumb ass, loose
                    I'm gonna threaten you with arrest.
06:28:43
      3
          Threatening me with all kinds of stuff. And I was
06:28:49
      4
          really scared and afraid of him.
06:28:52
      5
                    Okay. I'm looking for the... I'm looking for
06:28:54
      6
06:29:42
          the counseling. Notices of counseling. Do you have
          those handy with you? I think I see it at the very
06:29:49
      8
                    The coaching.
06:29:53
          bottom.
                    This one (indicating)?
06:29:54 10
              Α.
                    Yes. And then there's one other one.
06:29:56 11
              Q.
06:30:57 12
                          Sorry.
                                   I think it's marked Exhibit 31,
06:31:01 13
          but I can't seem to find it in my stack.
06:31:06 14
                    31?
              Α.
06:31:07 15
                    I think so.
              Ο.
                    Is it this one (indicating)?
06:31:12 16
              Α.
06:31:14 17
                           So looking again at Exhibit 30, which is
              Ο.
06:31:22 18
          Bates No. AUS 34, while you were working at Allied --
06:31:33 19
              Α.
                    Yes.
06:31:33 20
                    -- did Patrick give you this Counseling
               Ο.
          Disciplinary Notice?
06:31:37 21
06:31:38 22
              Α.
                    No.
                    Okay. Did Patrick ask you to sign this?
06:31:39 23
              Ο.
06:31:47 24
              Α.
                    No.
06:31:47 25
                    Did Patrick ever tell you that you had a dirty
               Ο.
```

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```
1
          uniform?
06:31:51
06:31:51
      2
               Α.
                    Never.
                    Did Patrick ever tell you you had dirty pants?
06:31:52
      3
               Ο.
06:31:55
               Α.
                    Never.
                            So when you testified that you might
06:31:55
               Ο.
          have seen this before, were you referring to reviewing
06:31:56
      6
          it in the documents that were provided to us after you
06:31:59
          filed the lawsuit?
06:32:02
     8
06:32:03
               Α.
                    Yes.
                    Okay. Looking back at -- now looking at
06:32:06 10
               Ο.
06:32:13 11
          Exhibit 31. When you met with Patrick on April 6th,
06:32:24 12
          which would have been -- I'm sorry. Strike that.
06:32:26 13
                          When you met with Patrick on April 5th,
06:32:31 14
          which would have been the day after the incident at
          H-E-B, did Patrick hand you this document?
06:32:35 15
                    I seen documents like that, but -- but I did
06:32:40 16
06:32:51 17
          not sign.
06:32:52 18
                    Do you remember telling me before that the
06:32:55 19
          document that Patrick handed you was typed -- typed up,
06:33:00 20
          not handwritten?
06:33:01 21
               Δ
                    It was computerized. It was the same one but
06:33:04 22
          it was computerized.
06:33:07 23
                    So this -- is this document typed up,
               Ο.
          computerized?
06:33:13 24
06:33:14 25
               Α.
                    No.
```

```
1
              Ο.
                    So as --
06:33:16
06:33:18
      2
              Α.
                    By I -- sorry to cut you off. By I mean
06:33:22
      3
          computerized, the writing was computerized, not the --
06:33:26
     4
          this is what's computerized. It was typed up in the
06:33:29
      5
          computer.
                    You mean the -- underneath where it says
06:33:29
      6
              Ο.
06:33:31
          "facts" --
              Α.
                    All of it.
06:33:32
     8
                    -- it was not handwritten?
06:33:33
              Ο.
                    No. All this not handwritten, no.
06:33:35 10
              Α.
06:33:38 11
                    Okay. So then I'm asking you again:
                                                               Did he
              Q.
06:33:42 12
          hand you a document that was -- that was typed up, like
          computer font, and hand you this document?
06:33:46 13
06:33:48 14
                    No. It was just computer typed.
06:33:50 15
                    Okay. So then sitting here now, does that
              Ο.
          refresh your memory: Did you receive this document the
06:34:00 16
06:34:03 17
          day you met with Patrick after the incident?
06:34:06 18
                    Not that specific document, no.
              Α.
06:34:08 19
                    Okay. Do you remember what the typed-up
              Ο.
06:34:09 20
          version said?
06:34:10 21
                    It was a report of -- I remember saying I
06:34:18 22
          acted alone to detain a customer of H-E-B. That's one
          of the phrases. That's when I did not agree with it
06:34:22 23
06:34:26 24
          because I not -- I did not acted alone, and they were
06:34:32 25
          not -- they were not customer of H-E-B.
```

```
I tried to explain they were trespass from
     1
06:34:34
          trespass.
06:34:38
     2
          every single H-E-B property. It didn't matter.
          could be Central Market, H-E-B, City -- City Fiesta or
06:34:42
     3
06:34:50
     4
         anything.
                         He was not -- he didn't want to listen.
06:34:50
     5
         And this is not the one. This has been wrote by him in
06:34:53
     6
06:34:57
         a couple of -- there's a couple of different inks.
          There's blue inks, there's black ink. The one they
06:35:01
     8
         provided to me, it was wrote by a -- like example, like
06:35:06
     9
         a computer. I said, I'm not gonna refuse -- I'm not
06:35:09 10
06:35:12 11
         gonna sign it. I refuse to sign it. And he got very,
06:35:15 12
         very pissed when I refused to sign that. And he cussed
06:35:20 13
         me out.
06:35:21 14
                    Okay. You testified also that after --
              Ο.
06:35:31 15
          sometime after your last meeting with Patrick in April,
06:35:39 16
          someone from HR emailed you asking for you to fill out
06:35:44 17
         a form again. Do you recall that testimony?
06:35:48 18
              Α.
                    Yes, yes. Yes, I do.
06:35:50 19
                    Okay. Was that person Catherine Barnes?
              Ο.
06:35:54 20
              Α.
                    I believe so, yes.
                    Okay. And I believe you testified that you
06:35:57 21
              Ο.
06:36:02 22
         responded to her. When you said that, do you mean that
06:36:05 23
         you responded to her via email?
06:36:07 24
                    Yes, I responded back to her.
              Α.
06:36:10 25
                           And when you responded back to her, did
              Ο.
                    Okay.
```

```
you, in the email, tell here that you felt you were
      1
06:36:16
          being discriminated against?
06:36:27
      2
      3
               Α.
                    Yes.
06:36:30
                    Did she respond to that email?
06:36:30
                    I think she did. She said that's -- I don't
06:36:32
      5
               Α.
          remember the exact word. One of her response was
06:36:35
      6
          that's not her line of work or she doesn't get involved
06:36:39
          in things like that.
06:36:42
      8
                    Do you recall if she immediately responded to
06:36:56
               Q.
06:36:58 10
          your email?
06:37:05 11
                          Strike that.
                                          Let me rephrase.
06:37:07 12
                          If she would have responded to that
          initial email, would you have a record of it?
06:37:11 13
06:37:14 14
                    If she responded to that email?
               Α.
                                                           I think so.
                    You would have a record of it?
06:37:20 15
               Ο.
06:37:22 16
               Α.
                    Probably.
06:37:23 17
                    You would have given it to me for the lawsuit;
               Ο.
06:37:27 18
          is that right?
06:37:27 19
               Α.
                    Yes.
06:37:30 20
                            So if the email -- if the email chains
               Ο.
                    Okav.
06:37:36 21
          show that she did not respond to that email, would that
06:37:38 22
          be accurate?
                    Sorry. Can you ask the question again?
06:37:41 23
               Α.
06:37:45 24
                    Yeah.
                            If the email chain showed that she did
               Ο.
06:37:48 25
          not respond to that email, would that be accurate?
```

```
If the email showed she didn't respond?
      1
06:37:54
      2
          would be accurate, like, she didn't respond.
06:37:57
          believe -- I think she responded. It was the same
06:37:59
      3
          Catherine Barnes or something. I don't know.
06:38:04
      4
          somebody responded back to me about the -- that's not
06:38:07
      5
06:38:12
      6
          their business. They not -- they don't get in
06:38:16
          employees' affair.
                    And if I represented to you that she -- she
06:38:19
      8
              Ο.
          did not initially respond in the email chain, do you
06:38:22
          have reason to doubt me?
06:38:25 10
06:38:26 11
              Α.
                    No.
06:38:29 12
                            And if I represented to you that you
               Ο.
                    Okay.
06:38:32 13
          had to email her a second time asking what's going on
06:38:37 14
          and then that's when she responded --
06:38:39 15
                    She responded.
              Α.
                                       Correct.
                    Okay. Does that refresh your recollection?
06:38:44 16
               Ο.
06:38:47 17
              Α.
                    Yes.
06:38:48 18
                            There were some questions today about
               Ο.
                    Okay.
06:39:31 19
          when you received a phone call from Wayne Oliver after
06:39:36 20
          the -- or about the investigation --
06:39:42 21
              Α.
                    Yes.
06:39:43 22
                    -- surrounding your hotline complaint.
06:39:46 23
          remember that?
06:39:46 24
                    Yes, I remember that.
              Α.
06:39:47 25
                            So if -- I think there was some
               Ο.
                    Okay.
```

```
confusion about when you received that phone call.
      1
06:39:57
06:40:03
      2
                          If the email -- if your emails to Wayne
          Oliver about the investigation were in June of 2022,
06:40:07
      3
06:40:13
      4
          about how long after that did he tell you that he
          believed you?
06:40:19
      5
                    When I talked to him, after me talking to him,
06:40:19
      6
06:40:29
          I believe he called me back or the same time.
          to me I -- I believe what you're saying but there is
06:40:34
      8
          nothing that I can do. The decision has became down
06:40:41
      9
06:40:45 10
          from above.
                         There's nothing in my power I can do for
06:40:48 11
                And I can tell that you have been treated not
06:40:55 12
          fairly but there's not much I can do.
06:40:57 13
                    Would it have been around the same month that
          you sent him that email?
06:41:01 14
06:41:03 15
                    I believe so.
              Α.
06:41:04 16
                    Okay. So sometime around June of 2022 or --
              Ο.
06:41:08 17
              Α.
                    Maybe.
                    -- a month after?
06:41:09 18
              Ο.
06:41:10 19
              Α.
                    Maybe.
06:41:11 20
                          You were asked some questions about
              Ο.
                    Okav.
06:41:28 21
          providing your own statement or trying to provide your
06:41:34 22
          own statement about the incident on April 4th of 2022;
06:41:41 23
          is that right? You were asked some of those questions;
06:41:47 24
          is that right?
06:41:47 25
                    Today?
              Α.
```

```
1
               Ο.
                     Yes.
06:41:48
06:41:48
      2
               Α.
                     Yes.
06:41:54
      3
                     Did you ever prepare a statement about that on
               Ο.
06:42:03
      4
          your phone or anywhere else?
                     Like, did I prepare it from today?
06:42:09
      5
               Α.
06:42:19
      6
               Ο.
                          That day.
06:42:21
               Α.
                     Of the incident?
                     Uh-huh.
06:42:22
      8
               Ο.
                           Like, I have my own statement but
06:42:23
               Α.
          nobody took it from me. Like, nobody accepted
06:42:28 10
06:42:31 11
          anything. I tried to provide it to the supervisor.
06:42:35 12
          They didn't want to accept it. I tried to provide it
06:42:38 13
          to Patrick.
                         They didn't want to listen to what I have
06:42:42 14
          to say or what I have to write or what I have to tell
06:42:45 15
                  They didn't want to listen to me.
06:42:47 16
                           Are you the one that wrote the lawsuit
               Ο.
06:42:56 17
          petition that's marked as Exhibit 1?
                     Is it this one (indicating)?
06:42:59 18
               Α.
06:43:06 19
                     Yes. Did you write that?
               Ο.
06:43:13 20
                     Like, me typing all these?
               Α.
06:43:16 21
               Q.
                     Right.
06:43:17 22
               Α.
                     No, not these. I didn't write those.
                                                                  So I
          don't know --
06:43:19 23
06:43:19 24
                     Did you write anything in that document?
               0.
06:43:23 25
                     What happened to me.
               Α.
```

```
1
               Ο.
                     You wrote it?
06:43:26
                     What happened to me. Like, statements of me.
06:43:27
               Α.
          Like, not like these Allied versus -- no, I didn't
      3
06:43:31
          wrote those. Like, I didn't know how to write these
06:43:35
      4
          words.
06:43:38
      5
                     Do you understand what I mean by -- I guess
06:43:38
      6
          let me try to clarify.
06:43:41
                           Did you type any of that document?
06:43:43
      8
06:43:51
               Α.
                     Like, type them or --
                     That actual document, did you type any of
06:43:52 10
               Q.
06:43:54 11
          that?
06:43:54 12
               Α.
                     This one? No.
06:43:55 13
                     Okay. Did you -- are you an attorney?
               Ο.
06:43:59 14
               Α.
                     I am not an attorney.
06:44:01 15
                     Okay. Do you know what is required to be in a
               Ο.
          lawsuit petition?
06:44:04 16
06:44:05 17
               Α.
                     No.
06:44:06 18
                     Would you have any idea of what's legally
06:44:12 19
          required to be in a legal complaint or a legal
06:44:14 20
          petition?
06:44:15 21
               Α.
                     No.
06:44:15 22
                     Okay.
                             In looking at the facts that are in the
06:44:24 23
          complaint -- or I'm sorry -- in the petition, is it
          complete?
06:44:29 24
06:44:29 25
               Α.
                     No.
```

There's some stuff that you remembered 1 06:44:29 Ο. Okay. 2 after we filed the complaint; is that right? 06:44:38 Of course. 06:44:40 3 Α. There's some stuff that you might have told me 06:44:41 Ο. that I did not put in the complaint; is that correct? 06:44:44 06:44:49 6 That is correct. And I'm sorry. I keep calling it a complaint, 06:44:50 ο. but it's actually a petition. At the bottom of the --06:44:53 8 or at the top of the page, do you see where it says 06:44:56 9 "Original Petition"? 06:44:58 10 06:44:59 11 Α. Yes. 06:45:00 12 Okay. You were asked some questions about the Ο. 06:45:10 13 emotional distress that you suffered as a result of 06:45:15 14 what Allied did. Has what Allied did affected you in 06:45:29 15 any of your relationships with your friends? 06:45:31 16 Α. It did, yes. 06:45:32 17 0. How? 06:45:32 18 I had to borrow money from friends and I 06:45:36 19 couldn't pay them back. And we -- things went very bad 06:45:43 20 and we stopped talking, some of my friends. borrow money to pay my phone bill, my -- for food, for 06:45:48 21 06:45:57 22 groceries, for car maintenance because doing the delivery was not paying off. Making like 20 bucks, \$30 06:45:59 23 a day, it doesn't pay off -- it was not paying off, so 06:46:04 24 06:46:07 25 I had to borrow money from friends. And unfortunately,

I couldn't pay them back. And I made the promise to 06:46:12 1 06:46:14 2 pay them back, and I will pay them back when I have the But it did destroy relationship with friends. 06:46:18 3 funds. 06:46:23 Ο. Was there a time that you had to sleep in your 06:46:27 5 car? Because I had -- I had nowhere to go. 06:46:27 Yes. The only place I had was my car that I own, that's paid 06:46:37 And that's the only property that I legally own. 06:46:41 8 And nobody can take it away. And that's the only -- I 06:46:46 9 had to sleep in my car because I couldn't pay the rent 06:46:49 10 06:46:56 11 and the bills where I was living at the time. And they 06:47:01 12 mentioned it to me, so out of dignity and respect, I 06:47:09 13 just picked my stuff up and left because I did not want 06:47:12 14 to be in that shoes. 06:47:15 15 And you were asked some questions about what 06:47:21 16 it would take to resolve the -- the lawsuit. Are you 06:47:32 17 also asking for money to punish Allied for what they did? 06:47:37 18 06:47:37 19 And to admit what they did to me was Α. 06:47:47 20 They should never do it -- not just to me, to 06:47:52 21 anybody else. No matter what they believe or no matter 06:47:56 22 what's the skin color or where they come from, they 06:47:59 23 should treat everybody with dignity and respect equally 06:48:04 24 and listen to their employees because their employees,

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in the end of the day, they are human. And that's the

06:48:07 25

```
way Allied Universal makes their money, towards
      1
06:48:10
06:48:14
      2
          employees who works for them and fill up their
          positions and the sites.
06:48:18
      3
                    Can I see your Exhibit 1, quickly?
06:48:20
              Ο.
                    (Tendering).
06:48:42
      5
              Α.
                    Okay. I'm on page 16 of the original petition
06:49:14
06:49:19
          which was marked as Exhibit 1.
                          Do you see where it says "remedies
06:49:23
      8
          requested"?
06:49:27
      9
06:49:29 10
              Α.
                    Yes, I see that.
                    Okay. Going down to Part C, under paragraph
06:49:30 11
              Q.
06:49:39 12
          88 -- I'm sorry. Under 88 it says, "Twana respectfully
06:49:46 13
          requests the following remedies."
06:49:48 14
                          Did I read that correctly?
06:49:50 15
              Α.
                    Yes.
06:49:51 16
                    Part C says, "The following additional
          equitable relief: No. 1, requiring defendant to adopt
06:49:55 17
          and implement procedures and policies better designed
06:50:00 18
06:50:03 19
          to ensure that race, ancestry, religion, or national
06:50:09 20
          origin play no role in its work environment or
          employment decisions."
06:50:13 21
06:50:16 22
                          Did I read that correctly?
06:50:18 23
              Α.
                    Yes.
06:50:18 24
                    Are you asking that Allied implement policies
               Ο.
06:50:24 25
          to make sure they're not using an employee's race or
```

```
religion or national origin when it makes decisions?
06:50:29
      1
06:50:32
              Α.
                    Of course.
                            "No. 2:
                                      Requiring defendant to provide
06:50:34
      3
                    Okay.
              Ο.
          training to all employees in the United States on
06:50:37
      4
          discrimination prevention and related compliance with
06:50:40
      5
          the civil rights laws violated, with the training
06:50:45
      6
06:50:51
          specifics to be tailored later."
                          Are you asking that Allied ensure that
06:50:54
      8
          all employees are trained on discrimination laws?
06:50:57
06:51:01 10
              Α.
                    Yes.
06:51:02 11
                            If Allied does not have to pay the full
              Ο.
                    Okay.
06:51:23 12
          value of what they did -- or to repay for what
06:51:29 13
          they've -- how they harmed you, what would happen?
06:51:33 14
                          MR. SHINE: Objection; calls for
06:51:36 15
          speculation.
06:51:39 16
                    (By Ms. Hernandez) You can answer.
              0.
06:51:42 17
              Α.
                    Can you ask the question again?
06:51:44 18
                    Yeah.
                            Sorry. It was not phrased very well.
              Ο.
06:51:48 19
                          If Allied is not made to pay for the full
06:51:52 20
          harm that they've caused, what do you think would
06:51:54 21
          happen?
                    They will get -- they will get away with it
06:51:55 22
              Α.
          and they will do it again to other people. They will
06:51:57 23
06:52:01 24
          continue that path. Because if somebody do something
06:52:05 25
          wrong and they don't get punished for it, they're gonna
```

```
think, oh, it's completely fine and they're gonna
06:52:10
      1
06:52:13
      2
          continue do that, which is -- that's wrong. If anybody
          do something to somebody, they should be punished for
06:52:15
      3
          it to not do that again, to realize in the future
06:52:18
          that's wrong, we got punished for it, we should not do
06:52:23
      5
               Let's take a different path, a better path.
06:52:27
      6
                    And under your understanding, at a trial who
06:52:30
          would decide what the right amount would be?
06:52:40
      8
                    The jury.
06:52:43
              Α.
06:52:48 10
              Q.
                    Okay.
06:52:51 11
                          MS. HERNANDEZ: Pass the witness.
06:52:59 12
                                       I think I have two questions,
                          MR. SHINE:
06:52:59 13
          Twana.
06:53:02 14
                          THE WITNESS:
                                          Yes, go ahead.
06:53:02 15
                                   EXAMINATION
          BY MR. SHINE:
06:53:03 16
06:53:03 17
                    In your lawsuit you're not alleging any
              ο.
          overtime violations against Allied, correct?
06:53:06 18
06:53:09 19
                    They was giving me overtime, but like if I
              Α.
06:53:19 20
          worked hour and a half -- sorry -- if I worked over 40,
06:53:22 21
          they will give me the overtime, but they refused to
06:53:26 22
          give me overtime after that.
06:53:27 23
                    Right. So my question is:
                                                    In this lawsuit,
              Ο.
          you're not saying that Allied failed to pay you
06:53:31 24
06:53:35 25
          properly, right?
```

| 06:53:35 1 | A. I can't recall that. |
|-------------|---|
| 06:53:40 2 | Q. So as we sit here today, is it your |
| 06:53:44 3 | understanding that Allied paid you for all of your time |
| 06:53:47 4 | that you worked? |
| 06:53:47 5 | A. There's times that I worked, they didn't pay |
| 06:53:51 6 | me for. For example, when I went to that post and I |
| 06:53:53 7 | turned back, they told me to go home, they didn't pay |
| 06:53:58 8 | me for that. It's an hour to go and an hour to come |
| 06:54:03 9 | back, they not pay me for that. |
| 06:54:06 10 | Q. In your complaint or your petition, the |
| 06:54:09 11 | lawsuit that has been filed, is it fair to say that |
| 06:54:13 12 | you've raised no issues with overtime? |
| 06:54:16 13 | A. That is correct. |
| 06:54:25 14 | Q. Okay. You testified that you remembered facts |
| 06:54:37 15 | that were not contained in your complaint, correct? |
| 06:54:44 16 | MS. HERNANDEZ: Objection; misstates |
| 06:54:45 17 | testimony. |
| 06:54:50 18 | A. Correct. |
| 06:54:51 19 | Q. (By Mr. Shine) Did you ever try to amend your |
| 06:54:56 20 | complaint? |
| 06:54:56 21 | A. Sorry? |
| 06:54:57 22 | Q. Did you the lawsuit that you filed, did you |
| 06:54:59 23 | ever try to amend your lawsuit? |
| 06:55:01 24 | A. What do you mean by "amend"? |
| 06:55:03 25 | Q. To change the facts that were presented. Did |

```
you ever try to add more facts to your lawsuit?
      1
06:55:10
                                  I don't know how to do it.
06:55:13
              Α.
                    If I knew.
06:55:18
      3
                    Is it your understanding that your attorney
              Ο.
06:55:20
      4
          tried to amend your complaint?
                    I will leave it up to her to amend the
06:55:22
      5
                       I don't know how to do it.
06:55:25
      6
06:55:27
                    So is it fair to say --
                    There's stuff -- sorry I cut you off.
06:55:29
      8
              Α.
          stuff are missing in the complaint, yes. It's not like
06:55:32
          hundred percent complete, yes, that is -- that is
06:55:37 10
          correct. But do I know how to add it? I don't know
06:55:39 11
06:55:41 12
          how to add it.
06:55:42 13
                    Did you ever try to add it?
              Ο.
06:55:48 14
              Α.
                    At the moment, no.
06:55:55 15
                    And then finally, when your attorney was
          asking you if Catherine Barnes ever responded to your
06:56:03 16
06:56:09 17
          email and you testified that she did but it may have
06:56:14 18
          been a couple of emails, do you remember talking about
06:56:19 19
          that with your attorney?
06:56:20 20
                    Yeah, I do remember that, yeah.
              Α.
06:56:22 21
              Ο.
                    When Catherine eventually responded to you to
06:56:26 22
          say that she doesn't get involved in employee
06:56:31 23
          complaints, do you remember her responding to you about
06:56:34 24
          that?
06:56:35 25
                    She don't get in like -- that's not part of
              Α.
```

```
her duty or --
      1
06:56:38
06:56:40
              Ο.
                    Okay.
                    -- or not part of her job. She don't get in
      3
06:56:41
          the affair. Something like that, in that category.
06:56:44
                    So if she had responded immediately with --
06:56:47
          with that same statement or a week later with that same
06:56:49
      6
          statement, it doesn't change the fact that she didn't
06:56:53
          get involved, right?
06:56:55
     8
                    It does gonna change the fact.
06:56:56
              Α.
06:56:59 10
              Ο.
                    How does it change?
06:57:00 11
                    If she were to provide me what to do and where
              Α.
06:57:03 12
          to go, I would have done it sooner.
                                                   If she would have
06:57:08 13
          called me to the office and sat down with me and tried
06:57:11 14
          to listen to me and give me an advice what to do, that
          would have changed a lot. If she would have told me,
06:57:14 15
          Hey, call this person, come on into the office, I want
06:57:18 16
06:57:20 17
          to talk to you personally about what's going on, that
06:57:22 18
          would have changed a lot. But none of those happened.
06:57:27 19
                    But at the end of the day, she still didn't
              Ο.
06:57:29 20
          get involved with that type of complaint, right?
                    She did not help. That's basically the
06:57:31 21
              Α.
06:57:35 22
          answer.
06:57:35 23
                    Because her answer was that it's not her job,
              Ο.
06:57:38 24
          right?
06:57:38 25
                    Technically. And I -- as I know what HR is,
              Α.
```

```
1
          they are there for the employee. You know, you go to
06:57:43
06:57:46
      2
          them to help you out if something going on. I didn't
      3
          know HR will turn you around like that and not help
06:57:51
06:57:55
      4
          you.
      5
                                        No further questions.
06:57:57
                          MR. SHINE:
      6
                          MS. HERNANDEZ:
                                             We'll reserve the rest of
06:58:00
06:58:01
      7
          our questions for trial.
                                                Off record at 6:57.
06:58:03
      8
                          THE VIDEOGRAPHER:
      9
                          (Deposition concluded at 6:58 p.m.)
     10
     11
     12
     13
     14
     15
     16
     17
     18
     19
     20
     21
     22
     23
     24
     25
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Exhibit 5

excerpts from Allied Human Resources Manager Katherine Alyea deposition

Deposition Transcript

Case Number: 4:23-cv-02823

Date: September 13, 2024

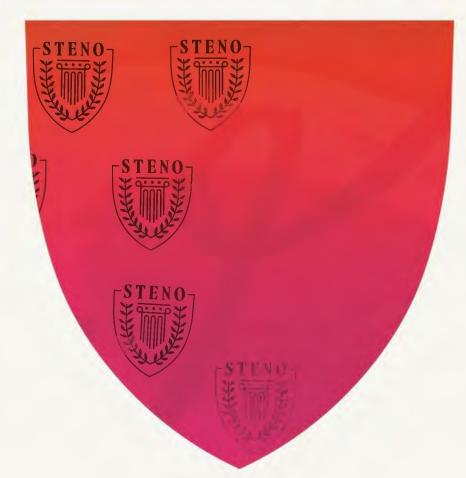
In the matter of:

TWANA AHMED v UNIVERSAL PROTECTION SERVICE, LP, et al.

Katherine Marie Alyea

CERTIFIED

Reported by: Alyssa A. Repsik



Steno
Official Reporters

315 West 9th Street Suite 807 Los Angeles, CA 90015 concierge@steno.com (310) 573-8380

NV: Firm #108F

APPENDIX 000525

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1
             UNITED STATES DISTRICT COURT FOR THE
 2
        SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION
 3
     TWANA AHMED,
                                ) CIVIL DIVISION
 4
             Plaintiff,
                                ) NO. 4:23-cv-02823
 5
        -vs-
 6
 7
     UNIVERSAL PROTECTION
     SERVICE, d/b/a ALLIED
     UNIVERSAL SECURITY
 8
     SYSTEMS,
 9
             Defendant.
10
11
12
                  REMOTE VIDEOTAPED DEPOSITION OF
13
       KATHERINE MARIE ALYEA, located in Texas,
14
       commencing at 1:33 P.M. CST, 2:33 P.M. EST, on
       Friday, September 13, 2024, before ALYSSA A.
15
       REPSIK, Court Reporter and Notary Public in and
16
17
       for the Commonwealth of Pennsylvania.
18
19
20
21
22
23
2.4
25
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| 1 | Page 2 APPEARANCES VIA ZOOM: | 1 | Page 3 |
|----------|---|-----|---|
| 2 | FOR THE PLAINTIFF: | 2 | 00 |
| 3 | AH LAW, PLLC | _ | PAGE |
| 4 | BY: AMANDA C. HERNANDEZ, ESQ. | 3 | EXAMINATION: ATTORNEY HERNANDEZ 6 |
| 5 | 5718 WESTHEIMER, SUITE 1000 | 4 | |
| 6 | HOUSTON, TX 77057 | | 00 |
| 7 | Amanda@ahfirm.com | 5 | |
| 8 | Amanda@amiii.com | 6 | |
| 9 | FOR THE DEFENDANT: | 7 | |
| 10 | MARTENSON, HASBROUCK & SIMON, LLP | 8 | |
| 11 | BY: NATHAN A. SHINE, ESQ. | 9 | |
| 12 | 500 DAVIS STREET, SUITE 1003 | 10 | |
| | | 11 | |
| 13 | EVANSTON, IL 60201 | 12 | |
| 14 | Nshine@martensonlaw.com | 14 | |
| 15 | OTHER ADDRADANCES. | 15 | |
| 16 | OTHER APPEARANCES: | 16 | |
| 17 | JENNIFER MUNTER STARK, ESQ. | 17 | |
| 18 | LEGAL VIDEOGRAPHER - TIMOTHY COX | 18 | |
| 19 | | 19 | |
| 20 | 000 | 20 | |
| 21 | | 21 | |
| 22 | | 22 | |
| 23 | | 23 | |
| 24 | | 24 | |
| 25 | | 25 | |
| | Page 4 | | Page 5 |
| 1 | PROCEEDINGS | 1 | THE VIDEOGRAPHER: Thank you, |
| 2 | THE VIDEOGRAPHER: Good | 2 | Counsel. |
| 3 | afternoon. We are on the record at 1:33 p.m. | 3 | Would the reporter please swear in |
| 4 | Central Time on September 13, 2024, to begin | 4 | the witness. |
| 5 | the deposition of Katherine Marie Alyea in the | 5 | KATHERINE MARIE ALYEA, a |
| 6 | matter of Twana Ahmed versus Universal | 6 | witness herein, having been first duly sworn, |
| 7 | Protection Services, LP, doing business as | 7 | was examined and testified as follows: |
| 8 | Allied Universal. | 8 | EXAMINATION |
| 9 | The venue for this case is in the | 9 | BY ATTORNEY HERNANDEZ: |
| 10 | United States District Court for the Southern | 10 | Q. Ms. Alyea, do you agree that |
| 11 | District of Texas, Houston Division. The case | 11 | companies must protect employees from |
| 12 | number is 4:23-CV-02823. | 12 | discrimination in the workplace? |
| 13 | This deposition is taking place via | 13 | A. Yes. |
| 14 | Zoom video conference. The legal videographer | 14 | Q. Is that important? |
| 15 | is Timothy Cox, here on behalf of Steno, and | 15 | A. Yes, it is. |
| 16 | the court reporter is Sara Acklin [sic], also | 16 | Q. On a scale of 1 to 10 where 1 is not |
| 17 | here on behalf of Steno. | 17 | important at all and 10 is the most important, |
| 18 | So would counsel please identify | 18 | how important is it that companies protect |
| 19 | yourselves and state whom you represent. | 19 | employees from discrimination in the workplace? |
| 20 | ATTORNEY HERNANDEZ: Amanda | 20 | A. Well, I would say a 10, in my |
| 21 | Hernandez for the plaintiff, Twana Ahmed. | 21 | perspective. |
| 22 | ATTORNEY SHINE: Nathan Shine | 22 | Q. And why is it so important? |
| 23 | for defendant, Universal Protection Service, | 23 | A. Because I think it's well, in my |
| | | - 4 | |
| 24 25 | LP, doing business as Allied Universal Security | 24 | opinion, you always want to provide a safe work |

KATHERINE MARIE ALYEA

SEPTEMBER 13, 2024

| | | Page 6 | | Page 7 |
|--|--|---|---|--|
| 1 | Q. | Why is that? | 1 | Q. Okay. Are Allied's policies and |
| 2 | A. | Why? Because I think that that's | 2 | procedures mandatory? |
| 3 | | sibility of the employer, in my | 3 | ATTORNEY SHINE: Objection. |
| 4 | opinion. | | 4 | This witness is not a 30(b)(6) witness. |
| 5 | Q. | Do you agree that companies must | 5 | But to the extent she has personal |
| 6 | protect e | mployees from retaliation when they | 6 | knowledge, she can answer. |
| 7 | report di | scrimination? | 7 | THE WITNESS: What was the |
| 8 | A. | Yes. | 8 | question, again? I'm sorry. |
| 9 | Q. | And on the same scale of 1 to 10, | 9 | BY ATTORNEY HERNANDEZ: |
| 10 | | tant is it that companies protect | 10 | Q. Are Allied's policies and procedures |
| 11 | employees | from retaliation when they report | 11 | mandatory? |
| 12 | discrimina | ation? | 12 | A. In my opinion, I would say yes. |
| 13 | A. | 10. | 13 | We're obligated to follow them. |
| 14 | Q. | Do you agree that companies must | 14 | Q. Okay. And Allied has a |
| 15 | protect e | mployees from retaliation when they | 15 | zero-tolerance policy for discrimination and |
| 16 | request re | eligious accommodations? | 16 | harassment; correct? |
| 17 | A. | Yes. | 17 | A. That's correct. |
| 18 | Q. | And on the same scale of 1 to 10, | 18 | Q. And also, Allied has a |
| 19 | how import | tant is it that companies protect | 19 | zero-tolerance policy for retaliation in the |
| 20 | | from retaliation when they request | 20 | workplace; correct? |
| 21 | religious | accommodations? | 21 | A. That's correct. |
| 22 | A. | 10. | 22 | Q. Would you agree that discrimination |
| 23 | Q. | And is it fine with you if I refer | 23 | in the workplace is a foreseeable danger to |
| 24 | to "Allie | d Universal" as just "Allied"? | 24 | employees? |
| 25 | A. | Yes. | 25 | A. No. |
| - | | | | |
| | | Page 8 | | Page 9 |
| 1 | Q. | And why not? | 1 | company standards. |
| 2 | A. | And why not? Well, in my opinion, I think that if | 1 2 | company standards. Q. How does Allied ensure that the |
| 2 | A. we're doi: | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, | 1 2 3 | company standards. Q. How does Allied ensure that the managers uphold the company standards? |
| 2 3 4 | A. we're doing they should | And why not? Well, in my opinion, I think that if mg what we're supposed to be doing, ldn't experience those things if we're | 1 2 3 4 | Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures |
| 2 3 4 5 | A. we're doing they should following | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, ldn't experience those things if we're the policies. | 1 2 3 4 5 | company standards. Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures if they're not holding the standards. We have |
| 2 3 4 5 | A. we're doing they should following | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, ldn't experience those things if we're the policies. So would that mean that you believe | 1 2 3 4 5 6 | company standards. Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures if they're not holding the standards. We have training, like I said. Remedial training. |
| 2 3 4 5 6 7 | A. we're doing they should following Q. that disc. | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, ldn't experience those things if we're the policies. So would that mean that you believe rimination and retaliation in the | 1 2 3 4 5 6 7 | company standards. Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures if they're not holding the standards. We have training, like I said. Remedial training. It's ongoing. |
| 2 3 4 5 6 7 8 | A. we're doing they should following Q. that disconverkplace | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, ldn't experience those things if we're the policies. So would that mean that you believe rimination and retaliation in the are preventable? | 1 2 3 4 5 6 7 8 | company standards. Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures if they're not holding the standards. We have training, like I said. Remedial training. It's ongoing. Q. Okay. How long have you been with |
| 2 3 4 5 6 7 8 9 | A. we're doing they should following Q. that disconverkplace A. | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, ldn't experience those things if we're the policies. So would that mean that you believe rimination and retaliation in the | 1 2 3 4 5 6 7 8 9 | company standards. Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures if they're not holding the standards. We have training, like I said. Remedial training. It's ongoing. Q. Okay. How long have you been with Allied? |
| 2 3 4 5 6 7 8 9 | A. we're dointhey should following Q. that disconverkplace A. opinion. | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, ldn't experience those things if we're the policies. So would that mean that you believe rimination and retaliation in the are preventable? I would think so, yes, in my | 1 2 3 4 5 6 7 8 9 10 | company standards. Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures if they're not holding the standards. We have training, like I said. Remedial training. It's ongoing. Q. Okay. How long have you been with Allied? A. 10 years. |
| 2 3 4 5 6 7 8 9 10 | A. we're dointhey should following Q. that disconverkplace A. opinion. Q. | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, ldn't experience those things if we're the policies. So would that mean that you believe rimination and retaliation in the are preventable? I would think so, yes, in my And in your experience, what does | 1 2 3 4 5 6 7 8 9 10 11 | company standards. Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures if they're not holding the standards. We have training, like I said. Remedial training. It's ongoing. Q. Okay. How long have you been with Allied? A. 10 years. Q. And what is your title? |
| 2 3 4 5 6 7 8 9 10 11 | A. we're doin they shoul following Q. that disc: workplace A. opinion. Q. Allied do | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, and the policies. So would that mean that you believe rimination and retaliation in the are preventable? I would think so, yes, in my And in your experience, what does to ensure that there is no | 1 2 3 4 5 6 7 8 9 10 11 | company standards. Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures if they're not holding the standards. We have training, like I said. Remedial training. It's ongoing. Q. Okay. How long have you been with Allied? A. 10 years. Q. And what is your title? A. It's senior regional HR manager. |
| 2 3 4 5 6 7 8 9 10 11 12 | A. we're doing they should following Q. that disconverkplace A. opinion. Q. Allied do discriminations | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, and the policies. So would that mean that you believe rimination and retaliation in the are preventable? I would think so, yes, in my And in your experience, what does to ensure that there is no ation or retaliation in the workplace? | 1 2 3 4 5 6 7 8 9 10 11 12 13 | company standards. Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures if they're not holding the standards. We have training, like I said. Remedial training. It's ongoing. Q. Okay. How long have you been with Allied? A. 10 years. Q. And what is your title? A. It's senior regional HR manager. Human resources manager. |
| 2 3 4 5 6 7 8 9 10 11 12 13 14 | A. we're doing they should following Q. that disconverkplace A. opinion. Q. Allied do discrimina A. | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, ldn't experience those things if we're the policies. So would that mean that you believe rimination and retaliation in the are preventable? I would think so, yes, in my And in your experience, what does to ensure that there is no ation or retaliation in the workplace? Well, I would believe that our | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 | Company standards. Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures if they're not holding the standards. We have training, like I said. Remedial training. It's ongoing. Q. Okay. How long have you been with Allied? A. 10 years. Q. And what is your title? A. It's senior regional HR manager. Human resources manager. Q. Have you always held that title? |
| 2 3 4 5 6 7 8 9 10 11 12 13 14 15 | A. we're doin they shoul following Q. that disc: workplace A. opinion. Q. Allied do discrimina A. training | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, and the policies. So would that mean that you believe eximination and retaliation in the are preventable? I would think so, yes, in my And in your experience, what does to ensure that there is no action or retaliation in the workplace? Well, I would believe that our would help accommodate some of those | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 | Company standards. Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures if they're not holding the standards. We have training, like I said. Remedial training. It's ongoing. Q. Okay. How long have you been with Allied? A. 10 years. Q. And what is your title? A. It's senior regional HR manager. Human resources manager. Q. Have you always held that title? A. No. |
| 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 | A. we're doin they shoul following Q. that disc: workplace A. opinion. Q. Allied do discrimina A. training withings or | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, and the policies. So would that mean that you believe rimination and retaliation in the are preventable? I would think so, yes, in my And in your experience, what does to ensure that there is no ation or retaliation in the workplace? Well, I would believe that our would help accommodate some of those educate people on what's what your | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 | Company standards. Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures if they're not holding the standards. We have training, like I said. Remedial training. It's ongoing. Q. Okay. How long have you been with Allied? A. 10 years. Q. And what is your title? A. It's senior regional HR manager. Human resources manager. Q. Have you always held that title? A. No. Q. Okay. When you were first hired, |
| 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 | A. we're dointhey should following Q. that disconverkplace A. opinion. Q. Allied do discrimina A. training withings or behavior a | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, and the policies. So would that mean that you believe rimination and retaliation in the are preventable? I would think so, yes, in my And in your experience, what does to ensure that there is no ation or retaliation in the workplace? Well, I would believe that our would help accommodate some of those educate people on what's what your should be in the workplace. | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 | company standards. Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures if they're not holding the standards. We have training, like I said. Remedial training. It's ongoing. Q. Okay. How long have you been with Allied? A. 10 years. Q. And what is your title? A. It's senior regional HR manager. Human resources manager. Q. Have you always held that title? A. No. Q. Okay. When you were first hired, what was your title? |
| 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 | A. we're doing they should following Q. that disconversely the properties of the p | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, and the policies. So would that mean that you believe rimination and retaliation in the are preventable? I would think so, yes, in my And in your experience, what does to ensure that there is no ation or retaliation in the workplace? Well, I would believe that our would help accommodate some of those educate people on what's what your | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 | company standards. Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures if they're not holding the standards. We have training, like I said. Remedial training. It's ongoing. Q. Okay. How long have you been with Allied? A. 10 years. Q. And what is your title? A. It's senior regional HR manager. Human resources manager. Q. Have you always held that title? A. No. Q. Okay. When you were first hired, what was your title? A. My first title was with Allied |
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| 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 | A. we're doing they should following Q. that disconsormation Q. Allied do discriming things or behavior: Q. training: A. training: A. | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, and the policies. So would that mean that you believe rimination and retaliation in the are preventable? I would think so, yes, in my And in your experience, what does to ensure that there is no action or retaliation in the workplace? Well, I would believe that our would help accommodate some of those educate people on what's what your should be in the workplace. Okay. Anything else besides Well, training, policy. All of | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 | Company standards. Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures if they're not holding the standards. We have training, like I said. Remedial training. It's ongoing. Q. Okay. How long have you been with Allied? A. 10 years. Q. And what is your title? A. It's senior regional HR manager. Human resources manager. Q. Have you always held that title? A. No. Q. Okay. When you were first hired, what was your title? A. My first title was with Allied Barton, and I was the district support manager. Q. Was that an HR role? |
| 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 | A. we're doing they should following Q. that disconstruction Q. Allied do discriming things or behavior a Q. training? A. those things | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, and the policies. So would that mean that you believe rimination and retaliation in the are preventable? I would think so, yes, in my And in your experience, what does to ensure that there is no ation or retaliation in the workplace? Well, I would believe that our would help accommodate some of those educate people on what's what your should be in the workplace. Okay. Anything else besides Well, training, policy. All of mys. | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 | company standards. Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures if they're not holding the standards. We have training, like I said. Remedial training. It's ongoing. Q. Okay. How long have you been with Allied? A. 10 years. Q. And what is your title? A. It's senior regional HR manager. Human resources manager. Q. Have you always held that title? A. No. Q. Okay. When you were first hired, what was your title? A. My first title was with Allied Barton, and I was the district support manager. Q. Was that an HR role? A. Yes, it was an HR function. |
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| 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 | A. we're doing they should following Q. that disconsormation Q. Allied do discriming things or behavior: Q. training? A. those thin Q. training a | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, and the policies. So would that mean that you believe rimination and retaliation in the are preventable? I would think so, yes, in my And in your experience, what does to ensure that there is no action or retaliation in the workplace? Well, I would believe that our would help accommodate some of those educate people on what's what your should be in the workplace. Okay. Anything else besides Well, training, policy. All of mgs. Okay. Anything else besides and the policy? | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 | Company standards. Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures if they're not holding the standards. We have training, like I said. Remedial training. It's ongoing. Q. Okay. How long have you been with Allied? A. 10 years. Q. And what is your title? A. It's senior regional HR manager. Human resources manager. Q. Have you always held that title? A. No. Q. Okay. When you were first hired, what was your title? A. My first title was with Allied Barton, and I was the district support manager. Q. Was that an HR role? A. Yes, it was an HR function. Q. Was that in Houston? A. Correct, in Houston. |
| 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 | A. we're doing they should following Q. that disconsormation Q. Allied do discriming things or behavior a Q. training? A. those thin Q. training a | And why not? Well, in my opinion, I think that if my what we're supposed to be doing, and the policies. So would that mean that you believe rimination and retaliation in the are preventable? I would think so, yes, in my And in your experience, what does to ensure that there is no ation or retaliation in the workplace? Well, I would believe that our would help accommodate some of those educate people on what's what your should be in the workplace. Okay. Anything else besides Well, training, policy. All of mgs. Okay. Anything else besides | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 | company standards. Q. How does Allied ensure that the managers uphold the company standards? A. Well, we have reporting procedures if they're not holding the standards. We have training, like I said. Remedial training. It's ongoing. Q. Okay. How long have you been with Allied? A. 10 years. Q. And what is your title? A. It's senior regional HR manager. Human resources manager. Q. Have you always held that title? A. No. Q. Okay. When you were first hired, what was your title? A. My first title was with Allied Barton, and I was the district support manager. Q. Was that an HR role? A. Yes, it was an HR function. Q. Was that in Houston? |

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| | , David 40 | 1 | Dana 44 |
|----|--|----|---|
| 1 | Page 10 A. That's correct. | 1 | Page 11 Q. And what does HRCI stand for? |
| 2 | Q. Okay. And when you were hired into | 2 | A. It's been a while since I actually |
| 3 | that district support manager role, what was | 3 | knew what the acronym was. Human Resource |
| 4 | your relevant experience? | 4 | Institute something like that. I don't |
| 5 | A. As far as HR? Is that what you | 5 | remember. It's been so long. |
| 6 | mean? | 6 | Q. That's okay. It's okay. |
| 7 | Q. Yes. | 7 | A. Sorry. |
| 8 | A. Well, I had experience as a | 8 | Q. You're fine. Do you have a college |
| وا | frontline manager when I came in here, but I | 9 | degree? |
| 10 | _ | 10 | |
| 11 | had also done my SHRM training and all that and was being trained by the regional HR manager at | 11 | • |
| 12 | Allied Barton. | 12 | Q. What is your degree in? A. Anthropology. |
| | | | |
| 13 | Q. Do you still hold the SHRM | 13 | Q. And when did you get that degree? |
| 14 | certification? | 14 | A. 1994. |
| 15 | A. I do. | 15 | Q. I don't remember if you said this, |
| 16 | Q. You do. So you've maintained | 16 | but when did you first become SHRM certified or |
| 17 | that when did you first become SHRM | 17 | PHR certified? |
| 18 | certified? | 18 | A. I believe it was I don't know the |
| 19 | A. Well, I was PHR certified first, and | 19 | exact date. It was around the end of 2020 |
| 20 | then when PH well, the HRCI and SHRM split. | 20 | I'm sorry. 2013 or possibly 2014. |
| 21 | Then I also got the SHRM. Then I had let my | 21 | Q. Okay. So would it have been when |
| 22 | PHR go. | 22 | you were at Allied or before you were |
| 23 | Q. What does PHR stand for? | 23 | A. No. Prior. |
| 24 | A. It was Professional Human Resource. | 24 | Q. Okay. So did you have experience in |
| 25 | It was the HRCI. | 25 | HR before you were did you have |
| | Page 12 | | Page 13 |
| 1 | experience working as an HR professional before | 1 | manager, were you responsible for conducting |
| 2 | you started working for Allied Barton? | 2 | investigations? |
| 3 | A. I was not an HR professional. I was | 3 | A. Yes, I was. |
| 4 | a frontline manager. I did do HR functions on | 4 | Q. And did that include investigations |
| 5 | some level. | 5 | into reports of discrimination or harassment? |
| 6 | Q. What were your duties as a frontline | 6 | A. Yes. |
| 7 | manager? | 7 | Q. Okay. I don't think I asked this, |
| 8 | A. Well, I was the managing partner for | 8 | but what were your duties as district support |
| 9 | a restaurant, and so therefore, I onboarded my | 9 | manager? |
| 10 | employees. I was responsible for session | 10 | A. I managed the recruiting team, the |
| 11 | planning. Investigations as far as if as | 11 | human recourse coordinator, the licensing |
| 12 | long as they weren't HR investigations, more, | 12 | coordinator, as well as the training person and |
| 13 | like, operational-type things, theft, things of | 13 | the receptionist. |
| 14 | those nature, so I had to investigate those | 14 | Q. And then how long were you district |
| 15 | type of things. | 15 | support manager? |
| 16 | Q. Okay. But no investigations into | 16 | A. I was the district support manager |
| 17 | reports of discrimination or harassment? | 17 | until the merger between Allied Barton and |
| 18 | A. No. I would have turned that over | 18 | Universal, and then my title changed to |
| 19 | to the HR people then. | 19 | regional HR manager, which I believe was, like, |
| 20 | Q. Okay. So then once you became | 20 | the end of 2016, beginning of 2017. |
| 21 | district support manager, did you receive | 21 | Q. And did you say you're is that |
| 22 | training on how to conduct investigations while | 22 | the same title you hold now, regional HR |
| 23 | at Allied? | 23 | manager? |
| 24 | A. Yes, I did. | 24 | A. Yes, it's regional HR manager, |
| | | | |
| 25 | Q. Okay. And as a district support | 25 | senior HR manager. |

KATHERINE MARIE ALYEA SEPTEMBER 13, 2024

| | TEMBER 10, 2021 | | |
|---|--|---|--|
| 1 | Q. Are they interchangeable? | 1 | Page 15 that different from the investigation training |
| 2 | A. Yes. | 2 | that you received when you were first hired? |
| 3 | Q. Okay. What are your general duties | 3 | A. With Allied Barton? |
| 4 | as regional HR manager? | 4 | Q. Yes. |
| 5 | A. Well, I am in charge of I have a | 5 | A. It was similar to it. It was |
| 6 | team of two, and then I have I'm responsible | 6 | conducted by the legal team. |
| 7 | for the offer letters, adjudications, | 7 | Q. Okay. Do you remember who conducted |
| 8 | investigations. I'm usually the one that | 8 | that training? |
| 9 | partners with legal if there's questions. | 9 | A. No, I do not. I'm sorry. |
| 10 | Q. Who's on your team of two? | 10 | Q. The investigation training that |
| 11 | A. Wayne Oliver and Jose Luna. | 11 | Wayne Oliver and Jose Luna received, is that |
| 12 | | 12 | the same when they were first hired, is that |
| | | | |
| 13 | Wayne Oliver and Jose Luna on a thousand | 13 | the same as the NAVEX investigation training |
| 14 | conduct investigations? | 14 | you were referring to? |
| 15 | A. I did train them a little bit, but | 15 | A. No. There's two separate trainings. |
| 16 | we also have company training for | 16 | You get NAVEX training, and then you get the |
| 17 | investigations. | 17 | investigation training. |
| 18 | Q. Is that ongoing training or is that | 18 | Q. Okay. The investigation training |
| 19 | something that you undergo when you are first | 19 | that Wayne Oliver and Jose would have received |
| 20 | hired? | 20 | when they were first hired, how long does that |
| 21 | A. It's for when you're first hired, | 21 | training last? |
| 22 | and it's also part of the NAVEX access is to | 22 | A. I'm not sure. It might I don't |
| 23 | take the investigation training. | 23 | want to say. I don't know. |
| 24 | Q. So just to clarify, so the | 24 | Q. What does it consist of it? |
| 25 | investigation training to get into NAVEX, is | 25 | A. It's presented by our legal team, so |
| | Page 16 | | Page 17 |
| 1 | I'm not I don't know that that's the one I | 1 | that there was specific investigation training |
| 2 | took. So I don't want to say. I didn't take | 2 | for entering into NAVEX? |
| 3 | that one. | 3 | A. You have to take the investigation |
| 4 | O Olean Dat ann did tales the MANTEN | 4 | |
| 1 * | Q. Okay. But you did take the NAVEX | - | training before you're allowed to enter NAVEX |
| 5 | training; correct? | 5 | Q. I see. And then the investigation |
| 1 | | | - |
| 5 | training; correct? | 5 | Q. I see. And then the investigation |
| 5 6 | training; correct? A. Correct. | 5 6 | Q. I see. And then the investigation training you're referring to is the one that's |
| 5 6 7 | <pre>training; correct? A. Correct. Q. And how long is the NAVEX training?</pre> | 5 6 7 | Q. I see. And then the investigation training you're referring to is the one that's conducted by legal; is that right? |
| 5 6 7 8 | <pre>training; correct? A. Correct. Q. And how long is the NAVEX training? A. About an hour.</pre> | 5 6 7 8 | Q. I see. And then the investigation training you're referring to is the one that's conducted by legal; is that right? A. Yes. Sorry if I wasn't clear. |
| 5 6 7 8 9 | <pre>training; correct? A. Correct. Q. And how long is the NAVEX training? A. About an hour. Q. Is it conducted online?</pre> | 5 6 7 8 9 | Q. I see. And then the investigation training you're referring to is the one that's conducted by legal; is that right? A. Yes. Sorry if I wasn't clear. Q. No, no. It was my misunderstanding. |
| 5 6 7 8 9 | <pre>training; correct? A. Correct. Q. And how long is the NAVEX training? A. About an hour. Q. Is it conducted online? A. No. It's facilitated.</pre> | 5 6 7 8 9 | Q. I see. And then the investigation training you're referring to is the one that's conducted by legal; is that right? A. Yes. Sorry if I wasn't clear. Q. No, no. It was my misunderstanding. So is that a one-time training |
| 5 6 7 8 9 10 11 | <pre>training; correct? A. Correct. Q. And how long is the NAVEX training? A. About an hour. Q. Is it conducted online? A. No. It's facilitated. Q. Were there materials given to you</pre> | 5 6 7 8 9 10 11 | Q. I see. And then the investigation training you're referring to is the one that's conducted by legal; is that right? A. Yes. Sorry if I wasn't clear. Q. No, no. It was my misunderstanding. So is that a one-time training that's given? |
| 5 6 7 8 9 10 11 12 | <pre>training; correct? A. Correct. Q. And how long is the NAVEX training? A. About an hour. Q. Is it conducted online? A. No. It's facilitated. Q. Were there materials given to you through that training?</pre> | 5 6 7 8 9 10 11 12 | Q. I see. And then the investigation training you're referring to is the one that's conducted by legal; is that right? A. Yes. Sorry if I wasn't clear. Q. No, no. It was my misunderstanding. So is that a one-time training that's given? A. Correct. |
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| 5 6 7 8 9 10 11 12 13 | A. Correct. Q. And how long is the NAVEX training? A. About an hour. Q. Is it conducted online? A. No. It's facilitated. Q. Were there materials given to you through that training? A. No. It's a it takes you through on how to work the NAVEX system. | 5 6 7 8 9 10 11 12 13 | Q. I see. And then the investigation training you're referring to is the one that's conducted by legal; is that right? A. Yes. Sorry if I wasn't clear. Q. No, no. It was my misunderstanding. So is that a one-time training that's given? A. Correct. Q. Okay. A. But I do have yes, it is. I'm |
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| 5 6 7 8 9 10 11 12 13 14 15 16 17 | A. Correct. Q. And how long is the NAVEX training? A. About an hour. Q. Is it conducted online? A. No. It's facilitated. Q. Were there materials given to you through that training? A. No. It's a it takes you through on how to work the NAVEX system. Q. Okay. So it's not specific to just investigations; correct? A. No. Q. How long is the investigation | 5 6 7 8 9 10 11 12 13 14 15 16 | Q. I see. And then the investigation training you're referring to is the one that's conducted by legal; is that right? A. Yes. Sorry if I wasn't clear. Q. No, no. It was my misunderstanding. So is that a one-time training that's given? A. Correct. Q. Okay. A. But I do have yes, it is. I'm sorry. Q. Okay. No problem. Let's see. |
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KATHERINE MARIE ALYEA SEPTEMBER 13, 2024

| SEP | TEMBER 13 | 3, 2024 | | |
|------|------------|--|----|---|
| 1 | 0 | Page 18 | 1 | Page 19 |
| 1 2 | Q. | Was this for a wrongful termination | 1 | important, how important is that? |
| | case? | 17- | 2 | A. 10. |
| 3 | Α. | No. | 3 | Q. Do you agree that it would be wrong |
| 4 | Q. | Okay. Have you ever had to testify | 4 | to ignore reports of discrimination or |
| 5 | - | orate representative for Allied? | 5 | harassment? |
| 6 | Α. | Yes. | 6 | A. Yes, I believe it would be. |
| 7 | Q. | Would that have been also in | 7 | Q. Do you agree that it would be |
| 8 | December o | | 8 | reckless to ignore reports of discrimination or |
| 9 | Α. | Yes. | 9 | harassment? |
| 10 | Q. | When you were first hired with | 10 | ATTORNEY SHINE: Objection. |
| 11 | | rton, did you receive training on | 11 | Calls for a legal conclusion. |
| 12 | discrimina | ation and retaliation laws? | 12 | To the extent she has personal |
| 13 | A. | Yes. | 13 | knowledge and can answer, she may testify. |
| 14 | Q. | And how long was that training? | 14 | THE WITNESS: I'm sorry. What |
| 15 | A. | I don't remember. That was a long | 15 | was the question? |
| 16 | time ago. | | 16 | BY ATTORNEY HERNANDEZ: |
| 17 | Q. | Okay. Was that also a one-time | 17 | Q. Do you agree that it would be |
| 18 | thing that | you've not had to repeat? | 18 | reckless to ignore reports of discrimination or |
| 19 | A. | No. I didn't repeat it. | 19 | harassment? |
| 20 | Q. | Okay. Do you agree that companies | 20 | A. Yeah. I guess I would agree without |
| 21 | must condu | act immediate investigations when an | 21 | knowing the circumstances. |
| 22 | employee 1 | reports discrimination or harassment? | 22 | Q. From your time starting with Allied |
| 23 | A. | Yes. | 23 | until today, how many discrimination or |
| 24 | Q. | On a scale of 1 to 10, with 1 being | 24 | retaliation reports do you think you've had to |
| 25 | not import | tant at all and 10 being extremely | 25 | investigate? |
| | | Page 20 | | Page 21 |
| 1 | A. | Like, a number? Specific number? | 1 | A. Correct. |
| 2 | Q. | Yes. | 2 | Q. Okay. Did Allied have any manuals |
| 3 | A. | Possibly 30 or 40. | 3 | regarding how to conduct investigations that |
| 4 | Q. | Okay. Would that include reports | 4 | you follow when you're conducting these |
| 5 | of repo | orts that your subordinates would have | 5 | investigations into report of discrimination? |
| 6 | investigat | ced? | 6 | A. We have templates that we can use if |
| 7 | A. | Some, but I'm speaking specifically | 7 | we choose to use them. |
| 8 | about myse | elf, though. | 8 | Q. Do you typically |
| 9 | Q. | Okay. Thank you. | 9 | A. And |
| 10 | A. | I can't give you a total of all my | 10 | Q. Sorry. Go ahead. |
| 11 | complaints | s. | 11 | A. They're just forms. |
| 12 | Q. | In your region as as the regional | 12 | Q. Do you typically use those forms? |
| 13 | HR manager | r, how many employees how many | 13 | A. Sometimes. It just kind of depends |
| 14 | | Allied employees are I guess, | 14 | on the nature of the complaint. |
| 15 | | re funneled to you? | 15 | Q. Can you explain a little bit more? |
| 16 | - | Like, are you in charge of a certain | 16 | When would you typically use the forms? |
| 17 | number of | employees in that region? | 17 | A. Well, I use the questions that they |
| 18 | Α. | Yes. | 18 | have, but then I tailor them to the specific |
| 19 | Q. | How many are there? | 19 | complaint. |
| 20 | A. | Approximately 8,500 or more. | 20 | So I don't write everything on the |
| 21 | Q. | And so for those 8,500, it's your | 21 | form. Then I may take the questions off, if |
| 22 | ~ | ou and Wayne Oliver and I've | 22 | that makes sense. |
| 23 | | Jose Luna. | 23 | Q. Okay. Would you agree that it's |
| 24 | A. | Jose. | 24 | important to document every aspect of an |
| 25 | Q. | It's just you three? | 25 | investigation into discrimination? |
| 1 25 | | | | |

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|----------|--|--------------|---|
| 1 | Page 22 A. Yes. | 1 | Page 23 discrimination? |
| 2 | Q. Okay. And then in your supervision | 2 | Q. Right. Signs or red flags of |
| 3 | of Wayne and Jose, have you tasked them with | 3 | potential discrimination? |
| 4 | using these forms? | 4 | A. I don't have an example off the top |
| 5 | A. They do have them to use. | 5 | of my head. I mean, typically, when I do |
| 6 | Q. Do they typically use the forms? | 6 | training, it's just basically treating somebody |
| 7 | A. Not in every case, no. | 7 | differently than others. |
| 8 | Q. Okay. Are they expected to use the | 8 | Q. Okay. Could it in your |
| 9 | questions on the forms? | 9 | experience, could it be a red flag of |
| 10 | A. It would depend on the case. Yes. | 10 | discrimination if an employee's accent was |
| 11 | Q. Okay. If it was a report of if | 11 | mocked? |
| 12 | it was a report of discrimination, would they | 12 | A. Could be. |
| 13 | typically be expected to use the questions on | 13 | Q. Could it be a sign or red flag of |
| 14 | the forms? | 14 | discrimination if an employee was pressured to |
| 15 | A. Not necessarily. Like I said, | 15 | shave his beard after indicating a religious |
| 16 | they're a guide. They're a template. | 16 | need to keep the beard? |
| 17 | Q. Okay. In your training and | 17 | A. Yes. |
| 18 | experience of investigating reports of | 18 | Q. Could it be a sign or red the flag |
| 19 | discrimination, have you been trained to look | 19 | of discrimination if an employee was issued a |
| 20 | for signs or red flags that might indicate | 20 | faulty weapon and other employees were issued |
| 21 | discrimination? | 21 | working weapons? |
| 22 | A. Yes. | 22 | A. I guess I would have to determine if |
| 23 | Q. Do any come to mind to you right | 23 | that was purposeful or not. |
| 24 | now? | 24 | Q. And so if it was purposeful, could |
| 25 | A. What do you mean? Like, examples of | 25 | that be a sign of discrimination? |
| | | | |
| 1 | Page 24 A. Yes. | 1 | Page 25 employers will care about following the law"? |
| 2 | Q. Could it be a sign or red flag of | 2 | A. Reread it one more time. |
| 3 | discrimination if an employee was not issued | 3 | Q. Sure. "Our community has the right |
| 4 | equipment that other employees were issued? | 4 | to expect that employers will care about |
| 5 | A. Yes. | 5 | following the law." |
| 6 | Q. Could it be a sign or a red flag of | 6 | A. I would agree. |
| 7 | discrimination if an employee of a different | 7 | Q. And then in your experience and |
| 8 | national origin was told to go back to his | 8 | understanding of employment retaliation, can |
| 9 | country? | 9 | discipline ever be applied in a way that's |
| 10 | A. Yes. | 10 | retaliatory? |
| 11 | Q. Could it be could cussing at an | 11 | A. Yes. |
| 12 | employee be a sign or red flag of | 12 | Q. Can you give us some examples? |
| 13 | discrimination? | 13 | A. Well, I mean, if somebody had filed |
| 14 | A. I would say unprofessional, not | 14 | a complaint and somebody took action against |
| 15 | necessarily. It would depend on the words. | 15 | them after, then, yes, that would be |
| 16 | Q. Okay. Could racial slurs toward an | 16 | considered. |
| 17 | employee be a red flag | 17 | Q. Okay. In your experience and |
| 18 | A. Of course. | 18 | training, have you been taught to look for |
| 19 | Q of discrimination? | 19 | signs or red flags of retaliation in |
| 20 | A. Yes. | 20 | investigations? |
| 21 | Q. And could a failure to follow | 21 | A. Yes. |
| 22 | policies be a red flag of discrimination? | 22 | Q. And do any of those come to mind |
| 23 | A. Yes. | 23 | right now? |
| | | | _ |
| 24 | Q. Do you agree with this statement: | 24 | A. I mean, not a specific example, no. |
| 24 25 | Q. Do you agree with this statement: "Our community has the right to expect that | 24 25 | A. I mean, not a specific example, no. Q. Okay. Would close timing between a |

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|--|--|--|--|
| 1 | Page 26 report and the discipline be a potential sign | 1 | Page 27 Q. Would opposing discrimination be |
| 2 | of retaliation? | 2 | considered protected activity? |
| 3 | A. Yes. | 3 | A. Yes. |
| 4 | Q. Could ignoring reports of | 4 | Q. Would requesting an accommodation be |
| 5 | discrimination be a sign of retaliation? | 5 | considered protected activity? |
| 6 | A. Yes. | 6 | A. Yes. |
| 7 | Q. Could physical threats after a | 7 | Q. In your experience, could threats to |
| 8 | protected activity be a sign of retaliation? | 8 | fire an employee after his protected activity |
| 9 | ATTORNEY SHINE: Objection. | 9 | be a red potential red flag of retaliation? |
| 10 | Calls for a legal conclusion. | 10 | A. Yes. |
| 11 | ATTORNEY HERNANDEZ: Let me | 11 | Q. Could physical threats after |
| 12 | | 12 | |
| l | back up. | | protected activity be a potential red flag of retaliation? |
| 13 | BY ATTORNEY HERNANDEZ: | 13 | |
| 14 | Q. In your experience and training, are | 14 | A. Yes. |
| 15 | you familiar with what a protected activity is, | 15 | Q. Could visible anger after protected |
| 16 | and how would you define "protected activity"? | 16 | activity be a sign or red flag of retaliation? |
| 17 | A. I would say it's something like | 17 | A. Yes. |
| 18 | are you well, it's just I don't know. | 18 | Q. Could threats to revoke the |
| 19 | I'm trying to think of an example, but | 19 | employee's security license after protected |
| 20 | typically, like, our social media or religious | 20 | activity be a sign or a red flag of potential |
| 21 | beliefs, all those things are, to me, are | 21 | retaliation? |
| 22 | protected activities on some level. | 22 | A. Yes. |
| 23 | Q. Would a report of discrimination be | 23 | Q. And could failure to follow policies |
| 24 | considered protected activity? | 24 | be a potential sign of retaliation? |
| 25 | A. Mm-hmm. | 25 | A. Yes. |
| | | | |
| | Page 28 | | Page 29 |
| 1 | Page 28 Q. What was your involvement with the | 1 | Page 29 A. I'm a resource for them. |
| 1 2 | 9 | 1 2 | |
| ı | Q. What was your involvement with the | | A. I'm a resource for them. |
| 2 | Q. What was your involvement with the investigation into Twana Ahmed's report of | 2 | A. I'm a resource for them. Q. I see. Did you assign the |
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Page 30 Page 31 1 Okay. And in your -- so did you 1 latitude to do that. We do, like I said, like kind of oversee this investigation that Wayne to review things as they happen. 3 3 I see. Is it nine times out of ten 4 Α. I wouldn't say that I oversaw it. 4 typical that someone from HR would overview a 5 Did I have knowledge of it? Yes. 5 termination -- or oversee a termination? Usually, like I said, they'll come 6 Okay. Were you involved in any way 6 7 in the investigation? 7 to us for a recommendation. Not always are we 8 Like I said, I coached him, or if he 8 the ones that are putting our stamp of 9 9 had questions, he came to me to ask me a approval. The branch has -- the branch 10 question. 10 managers and such have that latitude. 11 But I did not -- I was not, like, 11 Okay. So if a manager wants to 12 the person conducting the investigation. 12 terminate a security professional, they would 13 Okay. During the investigation, it 13 either partner with someone from HR or a branch 14 looks like you asked whether a member of HR had 14 manager; is that correct? 15 approved Twana's termination. 15 Yes. Sometimes the branch manager A. will --16 Is that correct? 16 17 A. Yes. I typically ask that, who they 17 Ο. Okay. 18 partnered with. 18 A. -- take lead. 19 Okay. Is it typical procedure that 19 Ο. I'm sorry. What was that last thing 20 a member of HR needs to be -- needs to approve 20 you said? 21 terminations? 21 Α. I said, sometimes the branch manager 22 Α. We like to have oversight on them so 22 is involved, or they take the lead. Like I 23 that we can make sure that, you know, the 23 said, we like to make the recommendations or verbiage is there. It's not always going to be review the information, but we're not always the final decision. 25 our decision. The branch managers have that 25 Page 32 Page 33 do them. 1 Okay. But somebody else is 1 2 partnered with the manager; correct? 2 Got you. Okay. During the 3 A. Yes. Usually. 3 investigation -- backing up. Okay. So there's some instances 4 You asked if a member of HR approved 4 Ο. 5 when --5 Twana's termination; correct? 6 No. I'm just saying that normally, 6 Yeah. I wanted to know basically Α. 7 7 they're -- they're not going to make that which person would have been involved, who was decision on their own --8 8 involved. 9 9 Ο. T see. And what was the response that you 0. 10 -- at certain levels because we have 10 got? 11 -- it's the hierarchy in the management. 11 I don't remember what he said. I 12 I see. So then at Patrick Freeney's 12 want to say it was no, but I don't know. I 13 level, would he need someone from HR or the 13 don't want to say the wrong thing, like, give 14 branch manager to approve the termination? 14 you the wrong information. 15 I would assume, especially with --15 Sure. It's no problem. 16 16 it would depend on the nature of the Does the name Don Massey ring a bell 17 termination, that it would have been made in 17 to you? 18 conjunction with his manager. 18 Α. Yes. 19 19 Okay. As a member of HR, are you Q. Who is Don Massey? 20 ever involved when root cause analyses are 20 Don Massey was the general manager 21 conducted? 21 for one of the Houston branches. 22 22 Q. Okay. Does he have an HR function? Α. No. 23 Ο. Okay. Have you ever been involved 23 No. He's the general manager of --24 when a root --24 so the general managers have their own branch. 25 No. I'm aware of them, but I don't They -- a lot of the managers report to them,

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Page 34
                                                                                                        Page 35
     so they do have some decision-making.
                                                                       During the investigation into Twana
 2
                Would Felicia Solis have reported to
                                                            Ahmed's report of discrimination that Wayne
 3
    Don Massey?
                                                            Oliver investigated, there was a question or a
 4
          Α.
                     They would have been equal.
                                                        4
                                                            comment made that -- that this was a "He said.
5
                                                        5
                                                            He said" type of situation; correct?
                Equal. Okay. So general manager
          0.
                                                                 A.
                                                                       Yes.
6
     and branch manager are equal?
                                                        6
7
                One supervises more hours than the
                                                                       How does -- does -- in your
8
     other, but they're equal.
                                                            experience, does Allied place a higher value on
9
                                                        9
                Okay. I'm sorry. You said one
                                                            the manager's word over the employees word in a
10
     supervises more hours?
                                                       10
                                                            "He said. He said" type of situation?
11
                Yeah. So in security, things are
                                                       11
                                                                       I wouldn't say necessarily. I mean,
12
     divided by hours. And so in my understanding,
                                                       12
                                                            it's just based off the facts that you can --
13
     I don't have direct knowledge of Felicia
                                                       13
                                                            or the trail that you can follow, so to speak.
                                                       14
14
    because she's not in my area.
                                                                        But typically, I mean, the
15
     specifically catered to the AGB account.
                                                       15
                                                            supervisor's words do count, but again, we're
                Okay. I see. During the
16
                                                       16
                                                            going to look into the complaint always,
17
     investigation, there was a question of whether
                                                       17
                                                            especially if there are witnesses named or
18
     the report was a "He said. He said" type of
                                                       18
                                                            something of that nature or text messages
19
     situation; correct?
                                                       19
                                                            provided, something that we can take action on.
20
                                                       20
                                                                       And so if there are no witness and
          A.
                Correct.
21
                     ATTORNEY SHINE: Object to the
                                                       21
                                                            no text messages, then what would happen?
22
    vagueness, Amanda. If you can refer to what
                                                       22
                                                                        Well, typically, we're not going to
23
     investigation you're speaking about.
                                                       23
                                                            be able to substantiate the claim based on
24
                     ATTORNEY HERNANDEZ:
                                                            there's no witnesses or no other information
25
    BY ATTORNEY HERNANDEZ:
                                                       25
                                                            provided.
                                                Page 36
                                                                                                        Page 37
                So in that situation, if the
                                                            employee is saying one thing and a manager is
1
                                                        1
 2
     employee is telling the truth, then the
                                                        2
                                                            saying another, right, there's no -- there's no
3
    discrimination would just go on unchecked;
                                                        3
                                                            witness, there's no prior complaints -- assume
    right?
                                                            that -- I mean, there's no way for Allied to
4
5
                Well, we're looking for -- I mean,
                                                        5
                                                            know whether the employee is telling the truth;
6
    I've never -- I would have also looked at if I
                                                        6
                                                            right?
7
                                                        7
    had complaints prior around that person.
                                                                        Correct.
8
                I mean, I take everything into
                                                        8
                                                                       And so even if the employee was
                                                        9
                                                            telling the truth, there would be no
9
     account in those types of situations, and
10
     specifically to Twana's, there was no other
                                                       10
                                                            consequence to the manager; correct?
                                                                       We might issue training just to make
11
     complaints.
                                                       11
                Okay. So if there are -- if there
12
                                                       12
                                                            sure that they're aware that the behavior
13
    were no other complaints, this is the first
                                                       13
                                                            that's reported is incorrect or inappropriate.
14
     time it's being reported and there are no
                                                       14
                                                                        Was any training issued to Patrick
15
     witnesses, then does that mean there are no
                                                       15
                                                            Freeney as a result of Twana's report?
16
     consequences if the manager actually did do the
                                                       16
                                                                 A.
                                                                       No.
17
     thing but denies it?
                                                       17
                                                                 0.
                                                                        Okav.
18
                I don't understand the question.
                                                       18
                                                                 A.
                                                                        Because he didn't work for us any
19
    Because if he -- why -- if I can't prove that
                                                       19
                                                            longer at that point.
20
     it happened, how would I take action on the
                                                       20
                                                                 0.
                                                                        I see. Okay. Would it have been
21
    manager?
                                                       21
                                                            issued if he was still working?
22
                I mean, obviously, we would take
                                                       22
                                                                 A.
                                                                        Yes.
23
    trainings and stuff like that, but I would have
                                                       23
                                                                 Ο.
                                                                        It also looks like there was a
24
     to substantiate the claim.
                                                       24
                                                            concern that -- let me see.
25
                                                       25
                Right. So my question is: If an
                                                                       Did Patrick Freeney lie about who
```

| | TEMBER 1 | - , - | | |
|--|---|---|--|--|
| 1 | aianod Tw | Page 38 ana's notices of counseling? | 1 | Page 39 Q. Yes. You write to Wayne, and you |
| 2 | Signed iw | ATTORNEY SHINE: Objection. | 2 | say, "That is true. That is a 'he said he |
| 3 | Calla for | speculation. | 3 | said.' What about the write-ups? Alex stated |
| 4 | Calls 101 | To the extent you have any personal | 4 | that he did not sign or witness them. I'm |
| 5 | knowl edge | , she can testify. | 5 | going to the north office to discuss with |
| 6 | Kilowiedge | THE WITNESS: I don't know. I | 6 | Patrick tomorrow." |
| 7 | waanit ah | le to investigate anything with that | 7 | Did I read that correctly? |
| 8 | | like I stated, Patrick no longer | 8 | A. Yes. |
| و ا | worked for | _ | 9 | Q. Okay. Did you go to the north |
| 10 | | EY HERNANDEZ: | 10 | office to discuss this with Patrick? |
| 11 | - | | 11 | A. Yes, I did. |
| 12 | Q. | Okay. Let me see if I can share my | 12 | |
| 1 | screen. | Olean | | ~ 1 3 1 |
| 13 | Α. | Okay. | 13 | testified that you weren't able to determine |
| 14 | Q. | Give me a second. | 14 | what happened? |
| 15 | | Are you able to see this E-mail | 15 | A. I went to the office to talk to him, |
| 16 | string? | The Taranakan Theorem Holeson | 16 | but he had already quit. |
| 17 | A. | Yeah. I see mine. It says, "Okay. | 17 | Q. Oh. I see. So when you went to the |
| 18 | | you there tomorrow." | 18 | office to discuss with him, he was no longer |
| 19 | Q. | Okay. This is Bates-labeled | 19 | there? |
| 20 | AUS_01297 | | 20 | A. Correct. |
| 21 | 1 . 77 | It looks like on June 15th you write | 21 | Q. Okay. Understood. |
| 22 | to Wayne | | 22 | A. Sorry. |
| 23 | Α. | To Wayne. | 23 | Q. No, no. It's okay. It was my |
| 24 | Q. | I'm sorry? | 24 | misunderstanding. |
| 25 | A. | To Wayne, yes. | 25 | So you have no way of knowing |
| | | | _ | |
| 1 . | | Page 40 | | Page 41 |
| 1 | Α. | No. | 1 | Q. Okay. Excuse me. |
| 2 | Q. | No what happened? | 2 | Q. Okay. Excuse me. A. Bless you. |
| 2 3 | Q. A. | No what happened? Right. I didn't complete any | 2 3 | Q. Okay. Excuse me.A. Bless you.Q. It's just a bad cough that I can't |
| 2 3 4 | Q. A. conversat | No. what happened? Right. I didn't complete any ions with Patrick. | 2 3 4 | Q. Okay. Excuse me. A. Bless you. Q. It's just a bad cough that I can't get rid of for some reason. |
| 2 3 4 5 | Q. A. conversat Q. | No what happened? Right. I didn't complete any | 2 3 4 5 | Q. Okay. Excuse me. A. Bless you. Q. It's just a bad cough that I can't get rid of for some reason. During Wayne's investigation, did |
| 2 3 4 5 6 | Q. A. conversat Q. he quit? | No. what happened? Right. I didn't complete any ions with Patrick. Okay. Did he give a reason for why | 2 3 4 5 6 | Q. Okay. Excuse me. A. Bless you. Q. It's just a bad cough that I can't get rid of for some reason. During Wayne's investigation, did you see that Patrick Freeney said Alex had |
| 2 3 4 5 6 7 | Q. A. conversat Q. he quit? A. | No what happened? Right. I didn't complete any ions with Patrick. Okay. Did he give a reason for why All I saw was a text message when I | 2 3 4 5 6 7 | Q. Okay. Excuse me. A. Bless you. Q. It's just a bad cough that I can't get rid of for some reason. During Wayne's investigation, did you see that Patrick Freeney said Alex had witnessed the counselings? |
| 2 3 4 5 6 7 8 | Q. A. conversat Q. he quit? A. processed | No. what happened? Right. I didn't complete any ions with Patrick. Okay. Did he give a reason for why | 2 3 4 5 6 7 8 | Q. Okay. Excuse me. A. Bless you. Q. It's just a bad cough that I can't get rid of for some reason. During Wayne's investigation, did you see that Patrick Freeney said Alex had witnessed the counselings? A. Yes. |
| 2 3 4 5 6 7 8 9 | Q. A. conversat Q. he quit? A. processed reasons. | No. what happened? Right. I didn't complete any ions with Patrick. Okay. Did he give a reason for why All I saw was a text message when I his separation that it was personal | 2 3 4 5 6 7 8 | Q. Okay. Excuse me. A. Bless you. Q. It's just a bad cough that I can't get rid of for some reason. During Wayne's investigation, did you see that Patrick Freeney said Alex had witnessed the counselings? A. Yes. Q. Okay. And in that investigation, |
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Page 42
                                                                                                        Page 43
1
                Okay. Would it be a red flag to you
                                                        1
                                                            signatures. I don't know for -- I think he
     if somebody said -- if a manager said, "This
                                                        2
                                                            said -- well, actually, I'm sorry.
 3
     supervisor witnessed the counselings" when, in
                                                        3
                                                                        I think he spoke to Patrick, and
 4
     fact, they did not?
                                                        4
                                                            Patrick said Alex was the witness. And that
5
                                                        5
          A.
                Yes.
                                                            was my goal, to speak to Patrick.
          Ο.
                Okay. But that would -- so that
                                                        6
                                                                        Okay. If you had spoken to Patrick
6
7
     indication -- would that not be enough to
                                                        7
                                                            and that was a lie, would that have given you
8
    believe the employee over the manager's side of
                                                        8
                                                            reason to substantiate Twana's reports?
9
                                                        9
     the story?
                                                                       Not necessarily.
10
                     ATTORNEY SHINE: Objection.
                                                       10
                                                                        So even if a manager is caught lying
     Calls for speculation.
11
                                                            about something, that does not tip the favor in
                                                       11
12
                If you have any personal knowledge,
                                                       12
                                                            the employee's -- to the employee's side as far
13
                                                       13
                                                            as who to believe?
    you can answer.
14
                     THE WITNESS: I was just going
                                                       14
                                                                 A.
                                                                        Possibly.
15
     to say, I didn't have a conclusion. I always
                                                       15
                                                                        It could?
                                                                 0.
     take all accounts or sides into the -- I didn't
16
                                                       16
                                                                 A.
                                                                        Possibly, yes. I mean, I would take
    hear his side or what was the actual situation.
17
                                                       17
                                                            everything into account.
18
     BY ATTORNEY HERNANDEZ:
                                                       18
                                                                        I'm going to take a -- just a
19
                You didn't hear whose side?
                                                       19
                                                            10-minute break to grab some water.
20
                I didn't speak to Patrick.
                                                       20
          Α.
                                                                 A.
                                                                        Okay.
21
          Q.
                                                       21
                Okay.
                                                                             THE VIDEOGRAPHER: Okay.
22
          Α.
                Do I think -- yes.
                                                       22
                                                            are now off the record. The time is 2:23 p.m.
23
          0.
                But Wayne Oliver did speak to
                                                       23
                                                            Central Time.
    Patrick; correct?
                                                       24
                                                                             (A recess was taken.)
25
          A.
                Not to my knowledge about the
                                                       25
                                                                             THE VIDEOGRAPHER: We are now
                                                Page 44
                                                                                                        Page 45
                                                            to complete the investigation even though he
     on the record. The time is 2:33 p.m. Central
 2
    Time.
                                                        2
                                                            was no longer employed?
3
    BY ATTORNEY HERNANDEZ:
                                                        3
                                                                        I did not speak to him after that.
                                                            And I don't -- I didn't talk to him. All I had
          Ο.
                So it was your testimony that
 4
5
    Patrick Freeney quit via text prior to your
                                                        5
                                                            was his company number.
6
    meeting with him; is that correct?
                                                        6
                                                                        Okay. You didn't have any other
                                                                 0.
7
                                                        7
                                                            phone number for him in his records?
                I don't know when he provided the
8
     text to his managers. I just received that as
                                                        8
                                                                        I don't remember if I called it or
     to process his separation.
9
                                                        9
                                                            not, to be quite honest.
10
                So I --
                                                       10
                                                                        Okay. Because it's important in an
                                                                 Ο.
                Okay. Sorry. Go ahead.
11
                                                       11
                                                            investigation of a reported discrimination to
          0.
12
                No. I was just going to say, I
                                                       12
                                                            talk to all the witnesses; correct?
13
     don't know -- like, I don't remember the date
                                                       13
14
     on the text message. I just know that I was
                                                       14
                                                                             ATTORNEY SHINE: Objection.
15
    provided that.
                                                       15
                                                                             THE WITNESS: But it can --
16
                I always ask for a resignation or
                                                       16
                                                                             ATTORNEY SHINE: Calls for
17
    what they have to process the separation
                                                       17
                                                            speculation.
18
    because I attach that for future use, if
                                                       18
                                                                             THE WITNESS: Sorry.
19
    necessary, so that it's available to the
                                                       19
                                                                             ATTORNEY SHINE: It's
20
     company.
                                                       20
                                                            objection. Calls for speculation. But to the
21
                Okay. Either way, prior to your
                                                       21
                                                            extent you have any personal knowledge that's
22
    meeting with him, he had already quit; correct?
                                                       22
                                                            responsive, you can testify.
23
                Right. When I got there, he was no
                                                       23
                                                                             THE WITNESS: I -- Wayne spoke
24
    longer an employee.
                                                       24
                                                            with him. Wayne was conducting the
25
                Okay. Did anyone follow up with him
                                                       25
                                                            investigation.
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| | TEMBER 13, 2024 | | |
|----|---|----------|---|
| 1 | Page 46 BY ATTORNEY HERNANDEZ: | 1 | Page 47 clarify which investigation you're referring |
| 2 | Q. Okay. If you had called him, would | 2 | to. Are we referring to Plaintiff's complaint, |
| 3 | it be documented in the file? | 3 | or are we referring to Katherine looking into |
| 4 | A. Yes. Probably. Possibly. But it | 4 | the discipline documents? |
| 5 | wasn't my case. Like I said, I don't I | 5 | I'm I'm personally confused. |
| 6 | wouldn't have added to Wayne's case, so to | 6 | BY ATTORNEY HERNANDEZ: |
| 7 | speak. | 7 | 0. Well, you testified earlier that |
| 8 | Q. Mm-hmm. Would it have been best | 8 | during the course of Wayne Oliver's |
| 9 | practices to follow up with Patrick after he | 9 | investigation into Twana Ahmed's report of |
| 10 | left? | 10 | discrimination, you had planned to go speak |
| 11 | ATTORNEY SHINE: Objection. | 11 | with Patrick in person; correct? |
| 12 | Calls for speculation. | 12 | A. Yes. |
| 13 | But to the extent you have personal | 13 | Q. Okay. Was that part of the |
| 14 | knowledge, you can testify. | 14 | investigation that Wayne Oliver was conducting? |
| 15 | THE WITNESS: I'm not saying I | 15 | A. It was more to speak to the |
| 16 | didn't. I don't remember. I mean, I don't | | - |
| 17 | remember. | 16 17 | disciplinary document provided, and who was present for that is more or less what the |
| | | 18 | conversation would have been. |
| 18 | BY ATTORNEY HERNANDEZ: | | |
| 19 | Q. Right. I'm not asking if you | 19 | Q. All right. Is that was that an |
| 20 | remember or not, but I'm asking, would it have | 20 | important part of this the investigation |
| 21 | been best practice to follow up with Patrick | 21 | into Twana's report of discrimination? |
| 22 | after the investigation after he left to | 22 | A. Well, I would want to determine who |
| 23 | complete the investigation? | 23 | was actually present and if there were any |
| 24 | ATTORNEY SHINE: Objection | 24 | additional witnesses that I had access to. |
| 25 | the same objection. And, Amanda, can we please | 25 | Q. Right. So that was part of the |
| | Page 48 | | Page 49 |
| 1 | investigation into Twana's report of | 1 | him, to the best of your recollection, you |
| 2 | discrimination; correct? | 2 | never got a hold of him; correct? |
| 3 | A. Yes, I guess. | 3 | A. Correct. |
| 4 | Q. Okay. So would it have been best | 4 | Q. Okay. If you did try to call him, |
| 5 | practice to follow up with Patrick even though | 5 | would there have been a record of it in the |
| 6 | he was no longer employed to find out, you | 6 | file somewhere? |
| 7 | know, the answers to your questions? | 7 | A. I don't think there is, no. |
| 8 | ATTORNEY SHINE: Objection. | 8 | Q. Right. But the question was, if you |
| 9 | Calls for speculation. | 9 | did would there have been a record? |
| 10 | You can answer. | 10 | A. Not necessarily. I would have had |
| 11 | THE WITNESS: I'm not saying I | 11 | to document it. |
| 12 | didn't. I don't remember. | 12 | Q. Should it have been documented if |
| 13 | BY ATTORNEY HERNANDEZ: | 13 | you tried to call him? |
| 14 | Q. Right. No, I'm not saying that you | 14 | ATTORNEY SHINE: Objection. |
| 15 | didn't either. I'm just asking, as part of | 15 | Calls for speculation. |
| 16 | your training and experience | 16 | But you can answer. |
| 17 | A. Yes, I would have called him. | 17 | THE WITNESS: Yes, I guess, if |
| 18 | Q. Okay. | 18 | it was if I did. |
| 19 | A. But I don't remember. I can't say | 19 | BY ATTORNEY HERNANDEZ: |
| 20 | for sure that I tried. I don't remember. | 20 | Q. Okay. Do you train people to |
| 21 | Q. Okay. But the question was: Would | 21 | document anytime they call |
| 22 | it have been best practice to call him, whether | 22 | A. Yes. |
| 23 | you did or not? | 23 | Q witnesses in the file? Okay. |
| 24 | A. Yes. | 24 | A. Mm-hmm. |
| 1 | | 25 | O Evaugo mo |
| 25 | Q. Okay. And if you did try to call | 45 | Q. Excuse me. |

| | TEMBER 13, 2024 | | |
|--|---|--|--|
| 1 | Page 50 Were you involved in in Alex | 1 | Page 51 personal knowledge, she can testify. |
| 2 | Bergeron's demotion? | 2 | THE WITNESS: Can you say the |
| 3 | A. No. | 3 | question again? |
| 4 | Q. Do you have knowledge of it? | 4 | BY ATTORNEY HERNANDEZ: |
| 5 | A. Only due to what I found out during | 5 | Q. Sure. In your experience at Allied, |
| 6 | this the course of discovery and stuff like | 6 | when managers receive reports of discrimination |
| 7 | that. | 7 | or supervisors, what are they supposed to do? |
| 8 | Q. And what did you find out? | 8 | A. They are supposed to report it to |
| 9 | A. That he stated he was demoted | 9 | HR. |
| 10 | because of from Patrick. | 10 | |
| 11 | | | Q. Okay. Is it ever okay to ignore a |
| | Q. And was he, in fact, demoted? | 11 | report of discrimination? |
| 12 | A. In our system, it shows that he was | 12 | A. No. If you're in a supervise I |
| 13 | possibly demoted, yes. | 13 | mean, I have no. They should definitely |
| 14 | Q. Do you know why he was demoted? | 14 | pass it along. |
| 15 | A. I do not know that. | 15 | Q. Okay. Do you understand what I mean |
| 16 | Q. Okay. When a manager demotes a | 16 | when I say "N word"? |
| 17 | supervisor, does that need to get approval by | 17 | A. I'm sorry? |
| 18 | anyone? | 18 | Q. Do you understand what I mean when I |
| 19 | A. No. | 19 | say "N word"? |
| 20 | Q. Okay. When managers or members of | 20 | A. I think so. In a racial context? |
| 21 | HR receive reports of discrimination, what are | 21 | Q. Yes. |
| 22 | they supposed to do? | 22 | A. Okay. Yes. |
| 23 | ATTORNEY SHINE: Objection. | 23 | Q. Do you agree that the N word is a |
| 24 | This is not a 30(b)(6) witness. | 24 | racial slur? |
| 25 | However, to the extent she has | 25 | A. Absolutely. |
| | Page 52 | | Page 53 |
| 1 | Q. And is it against Allied's policies | 1 | harmful, how harmful is it to call someone a |
| 2 | to use the N word? | 2 | "sand N word"? |
| 3 | ATTORNEY SHINE: Objection. | 3 | ATTORNEY SHINE: Objection. |
| 4 | She is not a 30(b)(6) witness. | 4 | Calls for speculation. |
| 5 | However, in her personal experience, | 5 | But to the extent she has a |
| 6 | she can testify. | 6 | responsive answer, she can testify. |
| 7 | THE WITNESS: What was the | 7 | |
| 8 | question again? | | THE WITNESS: I would say it's |
| _ | queberen agarn. | 8 | THE WITNESS: I would say it's a 10. |
| 9 | BY ATTORNEY HERNANDEZ: | 8 9 | - |
| 10 | | | a 10. |
| | BY ATTORNEY HERNANDEZ: | 9 | a 10. BY ATTORNEY HERNANDEZ: |
| 10 | BY ATTORNEY HERNANDEZ: Q. Is it against Allied's policies to | 9 | a 10. BY ATTORNEY HERNANDEZ: Q. All right. I think I'm almost done. |
| 10 11 | BY ATTORNEY HERNANDEZ: Q. Is it against Allied's policies to use the N word in the workplace? A. Yes. | 9 10 11 | a 10. BY ATTORNEY HERNANDEZ: Q. All right. I think I'm almost done. I'm just going to take a couple minutes to look over my notes. |
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| | TEMBER 13, 2024 | | | |
|--|---|--|---|---------|
| 1 | Page 54 questions. | 1 | We are now off the record. The time | Page 55 |
| 1 2 | questions. THE VIDEOGRAPHER: Okay. | 2 | is 2:50 p.m. Central Time. | |
| 3 | Ms. Repsik, you want to confirm transcript | 3 | | |
| 4 | orders? | 4 | (Thereupon, the deposition was | |
| 5 | THE REPORTER: Mr. Shine, do | 5 | concluded at 2:50 p.m. CST, 3:50 p.m. EST. | |
| 6 | you need a copy of this transcript? | 6 | Signature was not waived.) | |
| 1 | | 7 | | |
| 7 | ATTORNEY SHINE: Yes, please. | 8 | | |
| 8 | THE REPORTER: Thank you. | 9 | | |
| 9 | Does anyone need a rough draft? | 10 | | |
| 10 | ATTORNEY HERNANDEZ: No. | 11 | | |
| 11 | ATTORNEY SHINE: No. | 12 | | |
| 12 | THE VIDEOGRAPHER: Okay. And | 13 | | |
| 13 | then for the video orders, Ms. Hernandez, we | 14 | | |
| 14 | have your standard order. Is that still good? | | | |
| 15 | ATTORNEY HERNANDEZ: Yes. | 15 | | |
| 16 | THE VIDEOGRAPHER: And, | 16 | | |
| 17 | Mr. Shine, would you like a copy of the video | 17 | | |
| 18 | deposition? | 18 | | |
| 19 | ATTORNEY SHINE: No. Thank | 19 | | |
| 20 | you. | 20 | | |
| 21 | THE VIDEOGRAPHER: Okay. So | 21 | | |
| 22 | this concludes the deposition of Katherine | 22 | | |
| 23 | Marie Alyea in the matter of Twana Ahmed versus | 23 | | |
| 24 | Universal Protection Services, LP, doing | 24 | | |
| 25 | business as Allied Universal. | 25 | | |
| | | | | |
| | Page 56 | | | Page 57 |
| 1 | Page 56 | 1 | ERRATA SHEET REASON FOR | Page 57 |
| 2 | CERTIFICATE | 1 | ERRATA SHEET REASON FOR PAGE LINE CHANGE/CORRECTION | Page 57 |
| 2 | C E R T I F I C A T E I, KATHERINE MARIE ALYEA, do hereby certify | 1 2 | | Page 57 |
| 2 3 4 | C E R T I F I C A T E I, KATHERINE MARIE ALYEA, do hereby certify that I have read the foregoing transcript and | 2 3 | | Page 57 |
| 2 3 4 5 | C E R T I F I C A T E I, KATHERINE MARIE ALYEA, do hereby certify that I have read the foregoing transcript and it is a true and correct copy of my deposition, | 2 3 4 | | Page 57 |
| 2 3 4 5 | CERTIFICATE I, KATHERINE MARIE ALYEA, do hereby certify that I have read the foregoing transcript and it is a true and correct copy of my deposition, except for the changes, if any, made by me on | 2 3 4 5 | | Page 57 |
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| 2 3 4 5 | CERTIFICATE I, KATHERINE MARIE ALYEA, do hereby certify that I have read the foregoing transcript and it is a true and correct copy of my deposition, except for the changes, if any, made by me on | 2 3 4 5 6 7 | | Page 57 |
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JOB NO. 1171183

STENO.COM (310) 573-8380

Exhibit 6

excerpts from Allied Code of Ethics

CONDUCT IN THE WORKPLACE

Diversity and Inclusion

Allied Universal® is an Equal Opportunity Employer and does not tolerate discrimination against any employee or applicant on the basis of any legally protected characteristic or status. This policy applies to all terms and conditions of employment, including continued employment, promotions, evaluations, or other aspects of career development.

Anti-Harassment

Allied Universal is committed to ensuring that no employee is discriminated against or harassed by a supervisor, other employees, clients or their employees, or any other person in the workplace in violation of any and all applicable laws. All Company employees are responsible for maintaining a workplace free of harassing or discriminatory conduct, including but not limited to threatening conduct or comments based on any legally protected characteristics or status.

Fraternization

Allied Universal has fraternization rules for U.S.-based employees regarding an employee's personal or romantic relationships with other Company employees, vendors, Company clients, or an employee, tenant, or homeowner at the account to which an employee is assigned. Please contact your direct supervisor or Human Resources representative for additional information.



A safe, respectful, and inclusive work environment is paramount at Allied Universal.

I saw a supervisor harassing a coworker? Should I report them?

Yes. If you see something, say something. Allied Universal is committed to preventing harassment in the workplace, and will take immediate corrective action if harassment occurs.



Exhibit 7

excerpts from Allied anti-discrimination and harassment policies

POLICY AGAINST HARASSMENT AND DISCRIMINATION

2019 - Annual Reminder of Our Policy Against Unlawful Harassment, Discrimination and Retaliation

It is important to me that our employees find Allied Universal a pleasant and enjoyable place to work. I hope that the time you spend on your job is not only challenging, but is also personally rewarding. One of the important ways we strive to ensure this is by strictly enforcing our policies against unlawful harassment, discrimination and retaliation. This is a critical policy within our organization – one that we share with you at the time you are hired, and we publish in numerous and ongoing ways throughout our organization. It is so important that I want to take a moment here to reiterate my expectations regarding how we treat one another, and our commitment to following up on all complaints we receive.

All employees have the right to work in an environment that is free from discrimination or unlawful harassment because of race, color, national origin, religion, sex (including sexual orientation, gender, gender identity and gender expression), age, ancestry, physical disability (including AIDS and HIV), mental disability, medical condition, marital status, registered domestic partner status, genetic characteristics or genetic information, pregnancy or childbirth, political activities or affiliations, citizenship status, or military or veteran status, or any other category protected by law. Unlawful harassment and discrimination is prohibited whether it comes from or is directed towards other employees, supervisors, managers, customers, vendors or anyone else in the workplace.

As a reminder, harassment or discrimination of any kind – whether it be physical, verbal, written or electronic – is not tolerated at Allied Universal. It is not acceptable, even in a "joking" manner, to talk about, or engage others in discussions about intimate, sexual or disparaging/discriminating topics, to inappropriately touch or threaten another person, or to retaliate against any employee who complains about harassment or discrimination. You may refer to your Employee Handbook for specific details and further examples of unacceptable activities at work. Anyone found to be engaging in such behavior will receive discipline, up to and including termination of employment.

If you believe you have been harassed, discriminated against or retaliated against for any reason, or you are aware of a situation involving such treatment, we expect you to do **one or more of the following immediately**:

- If you feel comfortable doing so, you should discuss the matter directly with the person you feel is causing the problem and attempt to resolve the matter. Often, advising the person that their comments or actions are unwelcome will put a stop to it.
- If you are unable to address the matter directly with the individual(s) involved, or you've attempted
 this and the problem remains, you may report your concerns verbally or in writing to any member
 of your branch management team, anyone on the Corporate Leadership staff, any member of
 your Regional Human Resources team, any member of the Corporate Human Resources or
 Corporate Legal teams, or directly to me at 1551 N. Tustin Ave., #650, Santa Ana, CA 92705.
- You may make a report to our "Allied Universal Employees First" complaint hotline by calling 1-800-461-9330 or going to http://ausvoice.aus.com. Hotline and website reports may be made 24/7 and can be made anonymously if you wish.

We take complaints about harassment, discrimination and retaliation seriously, we will promptly investigate any complaint that is brought to the Company's attention, and we will take appropriate action based on the results of the investigation.

We all want to be proud of our Company. This policy has my full support, and I ask every Allied Universal employee to support it as well.

POLICY

Allied Universal is committed to providing a work environment free from discrimination or harassment because of race, color, national origin, religion, sex (including sexual orientation, gender, gender identity and gender expression), age, ancestry, physical disability (including AIDS and HIV), mental disability, medical condition, marital status, registered domestic partner status, genetic characteristics or genetic information, pregnancy or childbirth, political activities or affiliations, citizenship status, or military or veteran status, or any other category protected by law. It is the policy of the Company to ensure that no employee or applicant for employment is discriminated against in recruitment, hiring, compensation, training/apprenticeship, promotion, upgrading, demotion, downgrading, transfer, layoff or termination because of any category protected by law. All decisions regarding conditions of employment will be based on the individual's overall qualifications and his or her ability to meet the requirements of the position.

Employees with disabilities shall be provided with reasonable accommodation, except where such accommodation would cause the Company undue hardship. Allied Universal invites employees with disabilities who require accommodation to inform their manager or a member of the Human Resources team of such disability and any suggestions for possible accommodation. Further information about this process can be found in the Employee Handbook.

It is also the policy of Allied Universal to provide a workplace free of harassment of employees by other employees, supervisors, managers, customers, vendors or others doing business with or for the Company. Harassment is considered an act of misconduct and may subject an individual to disciplinary action, up to and including immediate termination. All supervisors and managers are responsible for implementing and monitoring compliance with this policy.

- Verbal harassment: (e.g., derogatory or vulgar comments or jokes regarding race, sex, religion, ancestry or national origin, age, physical appearance or other legally-protected characteristic; threats of physical harm; distribution of written or graphic material having such effects).
- Physical harassment: (e.g., hitting, pushing, touching or other physical contact, or threats of such action; blocking or impeding movement).
- Sexual harassment: (e.g., unwelcome or unsolicited sexual advances, demands for sexual favors, touching or other verbal or physical conduct of a sexual nature; display of offensive material; leering; making sexual gestures).

This list is by no means comprehensive. As a general matter, employees should not engage in any conduct or behavior that is offensive to others in the workplace, whether purposefully or otherwise, and is not in any way work-related. Employees can avoid such situations by showing courtesy and respect to all.

REPORTING PROCEDURE

Employees who feel they may have been harassed should tell the person harassing them to stop and attempt to resolve the matter directly, if possible and if the employee feels comfortable doing so. In addition, it is the employee's responsibility to promptly report any discriminatory or harassing conduct directly to Allied Universal. There are THREE WAYS that harassment or discrimination complaints may be made to Allied Universal:

1. Call our Incident Reporting Hotline 24/7 at 800-461-9330. Calls may be made anonymously if you prefer.

- 2. Visit our Incident Reporting Hotline website at http://employeesfirst.aus.com.
- 3. Report your concerns directly to any member of your branch management team or Corporate Leadership Team - Regional President, Regional Vice President, Branch or General Manager, Division or Client Manager, Operations Manager, Human Resources Coordinator, or your Regional Human Resources Director/Manager/Representative. Complaints may be made directly to any member of Corporate Human Resources or directly in writing to the CEO of the Company, Steve Jones, at 1551 N. Tustin Ave., #650, Santa Ana, CA 92705.

Reporting incidents to any other person besides those listed above (such as a Field Supervisor or Account Manager) will not be considered adherence to this policy. You may be asked to put your specific complaints in writing.

Any supervisors (including Field Supervisors and Account Managers) who become aware of any discrimination or harassment, whether it involves employee-to-employee, supervisor-to-employee, or vendor/customer-to-employee conduct, must promptly report the matter to their Regional Human Resources Director or Corporate Human Resources staff. If supervisors observe such harassment, they must take immediate action to stop it, and then report it. Failure to do so may result in disciplinary action for the supervisor.

Allied Universal's trained human resources management and staff will conduct a prompt and thorough investigation of all instances of alleged discrimination and harassment, including complaints received through the above referenced reporting methods. To the extent possible, all complaints and related information will remain confidential except as to those individuals who need the information to investigate, evaluate or take action in response to the complaint. The Company will also take remedial or disciplinary action, as appropriate.

PROHIBITION OF RETALIATION

There shall be no retaliation of any kind against a complainant who in good faith notifies the Company of any unlawful discrimination or harassment. It is also a violation of our policy for employees to discourage each other from complaining about harassment or discrimination. Any employee (including a manager or supervisor) who is found to have violated the Company's policy against retaliation will be subject to appropriate disciplinary action, including possible termination.

ACKNOWLEDGEMENT OF HARASSMENT & DISCRIMINATION POLICY

- I hereby acknowledge that I have received a copy of the foregoing Allied Universal Policy Against Harassment and Discrimination and I agree to comply with all aspects of the policy including the reporting procedures.
- I will not create a hostile work environment, nor will I participate in any form of harassment or discrimination in the workplace. If I believe I have been harassed or discriminated against in the workplace or I have observed any harassment or discrimination in the workplace, I will immediately report the incident as listed above. If I am a supervisor or a manager, I understand that I am responsible for taking prompt and effective action as soon as I know or suspect harassment or discrimination is taking place, including reporting to my Regional Human Resources Director, or any member of the Corporate Human Resources or Legal Team.
- I understand that unlawful harassment and discrimination is not tolerated by the Company, is against the law, and that anyone who engages in such behavior may be subject to disciplinary action up to and including immediate termination of employment.
- I understand that nothing in this policy is intended to nor shall be interpreted as interfering with

employee activities protected by the National Labor Relations Act, including communication and protected concerted activities regarding wages, working conditions, and other terms and conditions of employment.

Signature Twana Ahmed 12/15/2021 2:49 PM (checking the checkbox above is equivalent to a handwritten signature)

Employee Name
Twana Ahmed
Branch Name
Houston

Freedom From Discrimination, Harassment (Including Sexual Harassment) and Hostile Work Environment

It is the policy of Allied Universal® to provide a workplace free of harassment of employees by other employees, Supervisors, Managers, customers, visitors, vendors or others doing business with or for the company, including harassment based on race, religious creed, color, national origin, religion, sex (including gender, sexual orientation, gender identity and gender expression), age, ancestry, physical disability (including AIDS and HIV), mental disability, medical condition, marital status, registered domestic partner status, genetic characteristics or genetic information, pregnancy or childbirth, political activities or affiliations, citizenship status (except as may be required by law), or military or veteran status, or any other category protected by law. Allied Universal considers such harassment an act of misconduct and may subject an individual to disciplinary action, up to and including immediate termination. All Supervisors and Managers are responsible for implementing and monitoring compliance with this policy.

Harassment is defined as unwelcome or unsolicited verbal, physical or sexual advances or conduct where submission is an explicit or implicit condition of employment, where submission or rejection of such conduct is used as the basis for making employment decisions, or verbal or physical conduct that has the purpose or effect of substantially interfering with an employee's job performance, or that creates an intimidating, hostile or offensive working environment.

Some examples of behavior that may be considered as harassment, depending upon the facts and circumstances, include but are not limited to the following:

- Verbal harassment: (e.g., derogatory or vulgar comments or jokes regarding race, sex, religion, ancestry or national origin, age, physical appearance or other legally-protected characteristic; threats of physical harm; distribution of written or graphic material having such effects).
- Physical harassment: (e.g., hitting, pushing, touching or other physical contact, or threats of such action; blocking or impeding movement).
- Sexual harassment: (e.g., unwelcome or unsolicited sexual advances, demands for sexual favors, touching
 or other verbal or physical conduct of a sexual nature; display of offensive material; leering; making sexual
 gestures).

This list is by no means comprehensive. As a general matter, employees should not engage in any conduct or behavior while on duty that is not work-related or may be offensive to others, whether intentionally or otherwise. Employees can avoid such situations by showing courtesy and respect to all.

Reporting Harassment cont.



Employees should report harassment, discrimination and complaints and concerns via the following methods:

- Call our Allied Universal Ethics Hotline 24/7 at 1-888-260-5948. Calls may be made anonymously.
- Visit our website at http://aus.ethicspoint.com. Click on "new user" on the sign in screen and create a user name and password. After submission you will receive responses and updates.
- Report concerns directly to any member of the branch management team or Corporate Leadership Team Regional Vice President, Branch or General Manager, Division or Client Manager, Operations Manager, Human Resources Coordinator or your Regional Human Resources Director/Manager/Representative.

Complaints may be made directly to any member of Corporate Human Resources or directly to the CEO of the Company, Steve Jones, at 1551 N. Tustin Ave., #650, Santa Ana, CA 92705.

Zero Tolerance Policy

ALLIED Universal

Allied Universal is committed to providing a work environment free from discrimination or harassment of any kind.

Our policy is to provide all employees with a safe work environment that is free from harassment or discrimination of any kind.

We have a Zero Tolerance policy for any type of harassing, discriminating, intimidating or otherwise unlawful or disrespectful behavior from or toward any of our employees.



Exhibit 8

EEOC v. Allied Universal 2018 Consent Decree Order

78cw024933BEN09Ugnento34nhentFiled PNe01037225119 TX&GeID.809PAAA Of 1 UNITED STATES DISTRICT CO 2 SOUTHERN DISTRICT OF CALIFORNIA Y Case No. 17CV2436 BEN NLS U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, 5 6 Plaintiff, CONSENT DECREE; 7 ORDER VS. 8 UNIVERSAL PROTECTION SERVICE, LP d/b/a ALLIED 10 UNIVERSAL SECURITY 11 SERVICES. 12 13 Defendant. 14 15 I. 16 INTRODUCTION 17 Plaintiff, the U.S. Equal Employment Opportunity Commission ("EEOC" or 18 the "Commission") and Defendant Universal Protection Service, LP d/b/a Allied 19 Universal Security Services ("Defendant") agree to the entry of this Consent 20 Decree to resolve the EEOC's Complaint in the above-styled Action, filed under 21 Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. section 2000e et 22 seq. ("Title VII"). 23 The EEOC's Complaint alleges that Defendant unlawfully discriminated 24 against Charging Party William Webb ("Webb") based on religion (Islam) in 25 26

violation of Sections 701 (j) and 703(a) Title VII. More specifically, the Complaint alleges that Defendant failed to provide Webb a religious accommodation and discharged him based on his religion, Islam. The Commission

27

also alleges that Defendant discharged Webb in retaliation for having engaged in protected activity in violation of Section 704(a) of Title VII.

II.

PURPOSES AND SCOPE OF THE CONSENT DECREE

- A. The Parties to this Consent Decree ("Decree") are the EEOC and Defendant. Defendant stipulates that it is the entity responsible for (i) providing the monetary relief set forth below to Webb, and (ii) implementing the non-monetary relief described in this Consent Decree. This Decree shall be binding on and enforceable against Defendant, its officers, directors, agents, successors, and assigns, as specified herein.
- B. The Parties have entered into the Decree for the following purposes:
 - 1. To provide monetary and injunctive relief;
 - 2. To provide a final and binding settlement upon the Parties as to all claims alleged in the EEOC's Complaint in this Action;
 - To ensure that Defendant continues to implement appropriate
 measures to provide a work environment that is free from religious
 discrimination and retaliation;
 - To ensure that Defendant continues to implement effective policies, complaint procedures and training with respect to federal laws prohibiting discrimination and harassment based on religion and retaliation;
 - To ensure that Defendant continues to maintain effective policies, complaint procedures and training with respect to federal laws prohibiting religious discrimination and retaliation.
 - 6. To avoid expensive and protracted costs incident to this litigation.

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| 1 | C. Defendant expressly denies each of the allegations contained in the EEOC's |
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| 2 | Complaint and in Charging Party's charge of discrimination. Further, Defendant's |
| 3 | execution of this Decree is not an admission of liability. |
| 4 | III. |
| 5 | RELEASE OF CLAIMS |
| 6 | A. This Decree fully and completely resolves between Defendant and the |
| 7 | EEOC all claims that are raised by the EEOC against Defendant in the Complaint |
| 8 | filed in the United States District Court, Southern District of California and |
| 9 | captioned <u>U.S. Equal Employment Opportunity Commission v. Universal</u> |
| 10 | Protection Service, LP d/b/a Allied Universal Security Services, Civil Case No. |
| 11 | 17CV2436 BEN NLS |
| 12 | B. Nothing in this Decree shall be construed to preclude any party from |
| 13 | bringing suit to enforce this Decree in the event that any party fails to perform the |
| 14 | promises and representations contained here. |
| 15 | C. Nothing in this Decree shall be construed to limit or reduce Defendant's |
| 16 | obligation to comply fully with Title VII or any other federal employment statute. |
| 17 | D. This Decree in no way affects the EEOC's right to bring, investigate or |
| 18 | litigate other charges that may be in existence or may later arise against Defendan |
| 19 | in accordance with standard EEOC procedures. |
| 20 | |
| 21 | IV. |
| 22 | EFFECTIVE DATE AND DURATION OF DECREE |
| 23 | A. The provisions and agreements contained herein are effective immediately |
| 24 | upon the date which this Decree is entered by the Court ("the Effective Date"). |
| 25 | B. Except as otherwise provided here, the Decree shall remain in effect for |
| 26 | three (3) years after the Effective Date. |
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This Decree constitutes the complete understanding of the Parties with respect to the matters contained herein. No waiver, modification, or amendment of any provision of this Decree will be effective unless made in writing and signed by an authorized representative of each of the Parties.

V.

MODIFICATION AND SEVERABILITY

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Β. If one or more provisions of the Decree are rendered unlawful or unenforceable, the Parties shall make good faith efforts to agree upon appropriate amendments to this Decree to effectuate the purposes of the Decree. In any event, the remaining provisions will remain in full force and effect, unless the purposes of the Decree cannot be achieved despite the Parties' reasonable efforts.

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By mutual agreement of the Parties, this Decree may be amended or modified in writing in the interests of justice and fairness to effectuate the provisions of this Decree.

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VI.

JURISDICTION

This Court has jurisdiction over the Parties and the subject matter of this lawsuit. The Complaint asserts claims that, if proven, would authorize the Court to grant the equitable relief set forth in this Decree. The terms and provisions of this Decree are fair, reasonable, and just. This Decree conforms with the Federal Rules of Civil Procedure and Title VII, and is not in derogation of the rights or privileges

of any person.

В. The Court shall retain jurisdiction of this Action during the duration of the Decree for the purposes of monitoring and entering all orders, judgments, and decrees that may be necessary to implement the relief provided here.

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COMPLIANCE AND DISPUTE RESOLUTION

A. The Parties agree that if the EEOC has reason to believe that Defendant has failed to comply with any provision of this Consent Decree, the EEOC may petition or may bring an action before this Court to enforce the Decree. Prior to initiating such petition or action, the EEOC will notify Defendant's legal counsel of record, in writing, of the nature of the dispute. This notice shall specify the particular provision(s) that the EEOC believes has / have been breached. Absent a showing by either party that the delay will cause irreparable harm, Defendant shall have forty-five (45) days from receipt of the EEOC's notice of the alleged breach to attempt to address, resolve or cure the alleged breach.

VII.

B. The Parties agree to cooperate with each other and use their reasonable efforts to resolve any dispute referenced in the EEOC notice.

C. Unless the Parties have mutually agreed to extend the period by which the Defendant can address, resolve or cure the alleged breach, after forty-five (45) days have passed with no resolution or agreement to extend the time further, the EEOC may petition or bring an action before this Court for compliance with this Decree. In such a petition or action, the EEOC may seek all available relief, including, but not limited to, an extension of the terms of the Decree for such period of time as the Defendant is shown to be in breach of the Decree.

VIII. MONETARY RELIEF

A. In settlement of this lawsuit, Defendant shall pay the gross sum of Ninety thousand dollars (\$90,000.00) in total monetary relief to Charging Party William Webb of which \$67,000.00 shall be designated as compensatory damages.

B. A check in the gross amount of \$67,000.00 shall be issued to Webb. This \$67,000 in compensatory damages shall be designated as non-wage compensation,

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APPËNDIX 000557

and no tax withholding shall be made for such compensatory damages.

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Defendant shall prepare and distribute Form 1099 or equivalent tax reporting forms to Webb and shall make the appropriate reports to the Internal Revenue Service and other tax authorities.

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A check in the gross amount of \$23,000 shall be issued to Webb minus any applicable deductions, including for federal, state and/or local tax withholdings. This amount is intended to compensate Webb for alleged lost wages. Defendant shall pay the employer's portion of all federal, state, and local taxes, including but not limited to FICA and FUTA taxes, and such amounts shall not be deducted from this check. As such, an Internal Revenue Service ("IRS") Form W-2 shall be issued in connection with this payment.

- D. Defendant shall forward the settlement check to Webb via U.S. Certified Mail within ten (10) business days of the Effective Date of this Decree, and receipt by Defendant's undersigned counsel of a Form W-4 and Form W-9 (revised December 2014) for Webb.
- Ε. Within three (3) business days of the issuance of the settlement checks, Defendant shall submit a copy of the checks and related correspondence to Anna Y. Park, Regional Attorney, U.S. Equal Employment Opportunity Commission, 255 East Temple Street, 4th Floor, Los Angeles, California, 90012.

IX.

INJUNCTIVE RELIEF

Non-Discrimination Α.

Defendant, its officers, agents, management (including all supervisory employees), successors, assigns, and all those in active concert or participation with them, or any of them are enjoined for the duration of the Decree from

C. Equal Employment Opportunity Monitor

Within thirty (30) days of the Effective Date of this Decree, Defendant shall designate an Equal Opportunity Monitor ("Monitor") that has been approved by the EEOC to implement and monitor its compliance with Title VII and the provisions of this Decree. Defendant shall bear all costs associated with the selection and retention of the Monitor and the performance of his/her/its duties. The Monitor's responsibilities shall include the following:

- 1. Ensuring that Defendant maintains and implements nation-wide an anti-discrimination, religious accommodation, and anti-retaliation policy and reporting procedure that will effectively carry out its obligations under Title VII and this Decree;
- 2. Ensuring that Defendant maintains effective training for its employees, including management and human resources employees in California, on their rights and responsibilities under Title VII and this Decree, as well as under Defendant's policies and procedures relating to harassment, discrimination, and retaliation;
- 3. Ensuring that Defendant maintains nation-wide procedures for complaints of discrimination and/or retaliation, and requests for accommodation that comply with its obligations under Title VII and this Decree;
- Ensuring that Defendant maintains a system for monitoring any investigation of any complaint nation-wide of religious discrimination, failure to accommodate or retaliation;
- 5. Ensuring that Defendant maintains proper communications with complainants regarding the accommodation process, the complaint procedure, status of the request for accommodation and/or complaint, status of any subsequent investigation, results of the investigation, and any remedial action taken;

- 2. This revised policy shall be accessible in English, and when requested by an employee, in Spanish.
- 3. Within sixty (60) days of the Effective Date, Defendant shall ensure that it has distributed the Policy nationwide, by either physical or electronic posting, to every employee, including managers and supervisory employees.
- 4. Defendant shall ensure that all employees understand Defendant's obligations and responsibilities under Title VII and Defendant's policies and procedures for requesting a religious accommodation.

E. <u>Training</u>

1. Human Resources Personnel/Managers in California

All of Defendant's regional vice-presidents, branch managers, operations managers, human resources personnel and managers who are assigned to its California facilities shall attend, at least once every two years during the course of the four (4) years following the Effective Date of this Decree, a training program that includes information about religious accommodations and religious discrimination. This training shall occur in connection with the Company's training pursuant to California AB 1825, and shall be, in total, at least two (2) hours in duration. All Human Resource employees and Managers who attend the training shall verify such attendance in writing or electronically. At a minimum, this anti-discrimination and anti-retaliation training for managerial employees shall include instruction regarding:

- a. Defendant's responsibilities and requirements under Title VII;
- b. Making objective hiring and employment decisions that are not based on religion or religious stereotype;

- c. Proper procedures for making a request for reasonable accommodation;
- d. Proper handling of requests for reasonable accommodation and engaging in an adequate accommodation review process;
- e. Proper handling of discrimination complaints and conducting an adequate investigation in response; and
- f. A review of Defendant's revised equal employment policies and practices consistent with this Decree.

Defendant shall provide the EEOC with a copy of the materials used for this training.

2. Employees Assigned to Work Off-Site in San Diego, County
All of Defendant's non-supervisory employees, security professionals, and
any other personnel who are assigned to work off-site within San Diego
County, California shall receive online training approved by the EEOC. This
training shall occur within six (6) months of the Effective Date of this
Decree and once annually thereafter for the duration of this Decree. These
employees shall verify their attendance in writing or electronically. This
online training shall direct employees to the appropriate Human Resources
personnel regarding any questions. All new non-supervisor employees
assigned to work off-site within San Diego, California shall receive the
training within thirty (30) days of hire. This training shall, at a minimum,
include:

- a. Defendant's responsibilities and requirements under Title VII;
- b. The proper process and procedures for making a request for reasonable religious accommodation pursuant to company policy;

- Proper process and procedures for making complaints of discrimination and/or retaliation;
- d. A review of Defendant's revised equal employment policies and practices consistent with this Decree; and
- e. The name and contact information for a human resources manager to whom employees can speak if there are any concerns in this regard.

F. Accountability

Defendant shall hold its managers and supervisors accountable for failing to comply with Defendant's anti-discrimination and anti-retaliation policies and procedures.

G. Posting of Notice

Within ten (10) business days after the Effective Date, and throughout the term of this Decree, Defendant shall post at all of its Branch Offices in California, the Notice (attached as Exhibit "A") of the terms of this Decree in a clearly visible location frequented by employees at that facility for a period of sixty (60) days.

Х.

RECORD KEEPING AND REPORTING

A. <u>Document Preservation</u>

For the duration of the Decree, Defendant shall maintain such records for its facilities in San Diego, Orange County, and Long Beach as are necessary to demonstrate its compliance with this Decree, including but not limited to the following:

1. All documents generated in connection with any request for religious accommodation of which human resources becomes aware and resolution of such request for the duration of the Decree;

- 2. All documents generated in connection with any religious discrimination and/or retaliation complaint of which human resources becomes aware, any investigation into such complaint, and resolution of such complaint for the duration of the Decree;
- 3. All documents demonstrating the posting and/or availability of the revised policy and complaint procedure against discrimination and retaliation;
- 4. A list of the dates of the training required under this Decree;
- 5. All documents showing the list of names and positions of all attendees at the training required under this Decree;
- 6. All equal employment policies and procedures as required under this Decree; and
- 7. All training materials in connection with the training required under this Decree.

B. Initial Reports

- 1. Within thirty (30) days of the Effective Date, Defendant shall submit to the EEOC a statement confirming that the notice (Exhibit A) described in Section IX.G. has been posted.
- 2. Within sixty (60) days of the Effective Date of this Decree, Defendant shall provide to the EEOC a copy of the Policy described in Section IX.D.
- 3. Within sixty (60) days of the Effective Date, Defendant shall submit to the EEOC a statement confirming the development and implementation of the revised Policy described in Section IX.D.
- 4. Within thirty (30) days after hiring the EEO Monitor, Defendant shall submit to the EEOC the training materials required in Section IX.E.

This includes a description of the training to be provided and an outline of the curriculum developed for the trainees.

C. Reports from the Monitor Regarding Audits

During the duration of this Decree, the EEO Monitor shall conduct annual audits regarding Defendant's compliance with this Decree and its employment practices. The first audit shall occur no later than one-hundred and twenty (120) days after the Effective Date of this Decree. These audits shall be conducted without any prior notice to Defendant. The Monitor's audits shall verify the following about Defendant's California facilities:

- 1. Defendant's record-keeping practices are compliant with this Decree;
- 2. Defendant's response to all requests for religious accommodation were properly handled under Title VII and in compliance with this Decree;
- Defendant's response to all religious discrimination and retaliation complaints were properly handled under Title VII and in compliance with this Decree;
- 4. A review of training materials, and assessment of the effectiveness of training;
- 5. A review of Defendant's equal employment opportunity policies and procedures, and assessment of the effectiveness of such written policies.

Within thirty (30) days after each audit, the Monitor shall provide a written report to the EEOC regarding its findings. This report shall include all information and documents relating to Defendant's response to requests for religious accommodation, complaints of religious discrimination, and complaints of retaliation for its San Diego, Orange County, and Long Beach facilities. This includes the identity and job title of the persons involved in the accommodation or complaint process, the steps taken in response to the request for reasonable

accommodation or complaint, the rationale for the ultimate decision, and all documentary evidence pertaining to the request for religious accommodation, religious discrimination complaint, or retaliation complaint.

D. Annual Reports

For the entire duration of the Decree, Defendant shall provide the EEOC with annual written reports no later than the anniversary date of the Effective Date of this Decree. The subsequent annual reports shall include verification of the following regarding all of Defendant's California facilities:

- Defendant's equal employment and accommodation policies and practices comply with Title VII and this Decree;
- Defendant has refrained from engaging in practices which subject job applicants and/or employees to religious discrimination and/or retaliation in violation of Title VII and this Decree;
- 3. All training sessions required under this Decree during the prior twelve months have occurred;
- 4. Defendant has undertaken its best efforts to assure that all employees required to attend a training session under this Decree during the prior twelve months received the required training;
- 5. Confirmation that Defendant has undertaken its best efforts to assure that the Policy and training was provided to all employees hired after the entry of this Decree as set forth in this Decree; and
- 6. A report of all religion or retaliation-related discrimination complaints in the San Diego, Orange County, and Long Beach facilities of which human resources became aware that were made since the submission of the immediately preceding report. This report shall include the names of the individuals alleging discrimination; the nature of the

alleged discrimination; the identities of the alleged discriminating officials; the dates of the alleged discrimination or retaliation; a brief summary of how each complaint was resolved; the identity of the employee(s) who investigated and/or resolved each complaint; and a description of the resolution or findings. If no results have been reached as of the time of the report, the result shall be included in the next report.

COSTS OF ADMINISTRATION AND IMPLEMENTATION OF THE CONSENT DECREE

Defendant shall bear all costs associated with its administration and implementation of its obligations under this Decree.

XII.

COSTS AND ATTORNEYS' FEES

Each party shall bear its own costs of suit and attorneys' fees.

XIII.

MISCELLANEOUS PROVISIONS

A. During the term of this Consent Decree, Defendant shall provide any potential successor-in-interest or prospective purchaser with a copy of this Consent Decree within a reasonable time of not less than thirty (30) days prior to the execution of any agreement for acquisition or assumption of control of any or all of Defendant's facilities, or any other material change in corporate structure, and shall simultaneously inform the EEOC of same.

- B. During the term of this Consent Decree, Defendant and its successors shall assure that each of its affiliates, officers, managers and supervisors is aware of any term(s) of this Decree which may be related to his/her job duties.
- C. Unless otherwise stated, all notices, reports and correspondence required under this Decree shall be delivered to the attention of the Regional Attorney,
- Anna Y. Park, U.S. Equal Employment Opportunity Commission, Los Angeles
 District Office, 255 E. Temple St., 4th Fl., Los Angeles, CA. 90012.
 - D. The Parties agree to entry of this Decree and judgment subject to final approval by this Court.

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| 1 | All Parties, through the undersigned, respectfully apply for and consent to |
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| 2 | the entry of this Consent Decree Order. |
| 3 | |
| 4 | So stipulated, |
| 5. | |
| 6 | MARTENSON, HASBROUCK & SIMON |
| 7 | LLP , / / |
| 8 | 1/1/1/1/ |
| 9 | Dated: 12-1-17 By: 10 (16) |
| 10 | Marty N. Martenson B-Mail: mnmartenson@martensonlaw.com |
| 11 | |
| 12 | Attorney for Defendant Universal Protection Service, LP |
| 13 | Olitacisal Flotection Beraice, Dr |
| 14 | |
| 15 | Dated: 12-1-17 By: Obent Give 141/Upity6, |
| 16 | For and on behalf of Defendant Universal |
| 17 | Protection Service, LP |
| 18 | |
| 19 | U.S. EQUAL EMPLOYMENT |
| 20 | OPPORTUNITY COMPASSION |
| 21 | 733 |
| 22 | Dated: 12/5/17 By: |
| 23 | Regional Attorney |
| 24 | E-Mail: anna.park@eeoc.gov |
| 25 | Sue J. Noh |
| 26 | Connie K. Liem |
| 27 | Attorneys for Plaintiff BEOC |
| 28 | |
| 20 | |
| | 1 ■ 8 |

 ORDER

GOOD CAUSE APPEARING:

The Court hereby finds that compliance with all provisions of the foregoing Decree is fair and adequate. The Court hereby retains jurisdiction for the term of the foregoing Consent Decree, and the provisions thereof are hereby approved.

IT IS SO ORDERED.

Dated: 1/8/2018

Exhibit 9

Allied article— Allied named to fastest growing company list





Home (/) / Allied Universal Named to Inc. Magazine's Annual List of Fastest-Growing Private Companies for the 13th Time

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Allied Universal Named to Inc. Magazine's Annual List of Fastest-Growing Private Companies for the 13th Time

SANTA ANA, Calif. — Aug. 18, 2022 – Inc. Magazine revealed that Allied Universal, a global security and facility services company with a workforce of more than 800,000 people worldwide and revenue of approximately \$20 billion, was named to the prestigious annual Inc. 5000 list for the 13th time demonstrating the company's record of sustained growth.

The list represents a unique look at the most successful companies within the U.S. economy's most dynamic segment — its independent businesses. Moving up to No. 2,490 from No. 4,469 last year, Allied Universal is among the top 50 percent of all companies on this year's Inc. 5000 list.

"It is truly an honor to be named to the Inc. 5000 list for the 13th time," said Steve Jones, Global Chairman & CEO of Allied Universal. "This is a testament to our visionary leaders, dedicated employees and a proven business model of strategic organic growth as well as growth through acquisitions. I am so proud to lead this team of phenomenal employees."



Complete results of the Inc. 5000, including company profiles and an interactive database that can be sorted by industry, region and other criteria, can be found at www.inc.com/inc5000. The top 500 companies are featured in the September issue of Inc., which will be available on Aug. 23.

"The accomplishment of building one of the fastest-growing companies in the U.S., in light of recent economic roadblocks, cannot be overstated," says Scott Omelianuk, editor-in-chief of Inc. "Inc. is thrilled to honor the companies that have established themselves through innovation, hard work and rising to the challenges of today."

More about Inc. and the Inc. 5000 Methodology

Companies on the 2022 Inc. 5000 are ranked according to percentage revenue growth from 2018 to 2021. To qualify, companies must have been founded and generating revenue by March 31, 2018. They must be U.S.-based, privately held, for-profit and independent — not subsidiaries or divisions of other companies — as of Dec. 31, 2021. (Since then, some on the list may have gone public or been acquired.) The minimum revenue required for 2018 is \$100,000; the minimum for 2021 is \$2 million. As always, Inc. reserves the right to decline applicants for subjective reasons. Growth rates used to determine company rankings were calculated to four decimal places. The top 500 companies on the Inc. 5000 are featured in Inc. magazine's September issue. The entire Inc. 5000 can be found at?http://www.inc.com/inc5000.

About Inc.

The world's most trusted business-media brand, Inc. offers entrepreneurs the knowledge, tools, connections and community to build great companies. Its award-winning multiplatform content reaches more than 50 million people each month across a variety of channels, including websites, newsletters, social media, podcasts and print. Its prestigious Inc. 5000 list, produced every year since 1982, analyzes company data to recognize the fastest-growing privately held businesses in the United States. The global recognition that comes with inclusion in the 5000 gives the founders of the best businesses an opportunity to engage with an exclusive community of their peers and the credibility that helps them drive sales and recruit talent. The associated Inc. 5000 Conference & Gala is part of a highly acclaimed portfolio of bespoke events produced by Inc. For more information, visit www.inc.com.

About Allied Universal

Allied Universal[®], a leading security and facility services company, provides proactive security services and cutting-edge smart technology to deliver tailored, integrated security solutions that allow clients to focus on their core business. Through a global workforce of approximately 800,000 people, we leverage best practices in communities all over the world. With revenues at approximately \$20 billion, we are supported by efficient processes and systems that can only come with scale to help deliver our promise locally: keeping people safe so our communities can thrive. We believe there is no greater purpose than serving and safeguarding customers, communities, and people in today's world. Allied Universal is There for you[®]. For more information, please visit www.aus.com.

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Case 4:23-cv-02823

Document 34-1

Filed on 01/22/25 in TXSD

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Allied Universal CEO Steve Jones Provides... (https://www.aus.com/press-releases/allied-universal-ceo-steve-jones-provides-midyear-update-state-labor-market-private)

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Speak Out Hotline (https://secure.ethicspoint.com/domain/media/en/gui/63141/index.html)

Whistleblower Policy (https://www.aus.com/sites/default/files/2022-05/Whistleblower%20Policy%202019_updated.pdf)

North America Supplier Code of Conduct (https://www.aus.com/sites/default/files/2024-11/final_north_america_supplier_code_of_conduct_7-29-24_0.pdf) Supplier Diversity Policy (https://www.aus.com/sites/default/files/2023-06/POL-1513%20NA%20Supplier%20Diversity%20Policy%2011142022.pdf)

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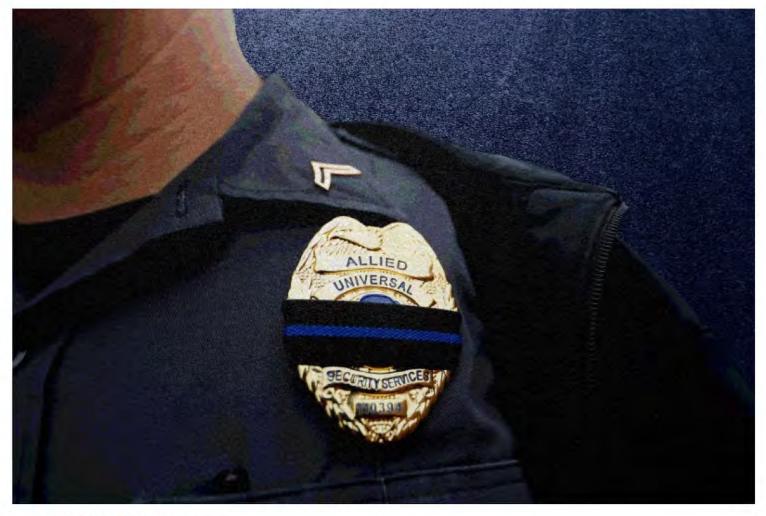
This website uses cookies to enhance user experience and to analyze performance and traffic on our website. We also share information about your use of our site with our social media, advertising and analytics partners.

Exhibit 10

TIME article The Problems Inside North America's Largest Security Firm — and Third-Biggest Employer



The Problems Inside North America's Largest Security Firm—and Third-Biggest Employer



David Zalubowski-AP; Getty Images

BY ALANA SEMUELS

MAY 11, 2023 7:00 AM EDT

This story is the third of three in Insecure, a series about the private security industry. Read part 1: Private Security Guards Are Replacing Police Across America. And part 2: In the World of Private Security, There Aren't Many Rules or Regulations

As housing costs spiked during the pandemic, San Diego's homelessness problem became a crisis, and Christopher Russell was overwhelmed. As a security guard employed by Allied Universal at the behest of the owners of a shopping plaza in a scruffy neighborhood of San Diego, Russell's duties were to ask the homeless people sleeping outside of the stores and parking garage to leave. They didn't have anywhere to go, and some would move politely, but others had mental health or drug abuse issues and would spit on him or scream at him, he says. His job duties included calling authorities for backup, but he says the calls were such low priority that police sometimes wouldn't come for hours.



"It gets violent over here," says Russell, 36. "You really have to watch your back." A police officer was recently shot in the face across the street. Russell says he tried to create a union of Allied workers but turnover was so high that it was hard to find anyone sticking along long enough to sign a union card. He's worked for Allied twice, but says he quit the first time because the company failed to pay him for weeks on end. (Allied did not reply to a request for comment on this specific allegation.) Allied workers at his San Diego site make \$19 an hour, not much higher than San Diego's \$16.30 minimum wage.

Allied Universal is America's biggest company you've never heard of. With 800,000 employees globally and 300,000 in the U.S., it is the third-largest private employer in North America, after Walmart and Amazon. Most Americans interact with Allied employees daily—at airports, on public transit, in supermarkets, pharmacies and gas stations. Yet Allied has not faced the scrutiny that Walmart or Amazon have in recent years, perhaps because it doesn't sell goods and services to consumers. This lack of public visibility has enabled the company to deploy underpaid and under trained guards in cities across America, where they put themselves and the general public at risk; Allied guards have allegedly killed civilians in the last year, some have also been killed themselves, including Christian LaCour, an Allied security guard killed at the mass shooting at Allen Premium Outlets in Texas on May 6, and Aaron Salter Jr., the Allied security guard killed at the mass shooting at a Buffalo supermarket in May 2022.

More from TIME

In a statement responding to LaCour's death, Steve Jones, global chairman and CEO of Allied Universal, said that in the last few months, Allied's guards have "administered life-saving medical aid, extinguished fires, foiled human trafficking, prevented suicides and removed firearms from public spaces." Jones criticized negative media stories about security guards that he said failed to report on guards' "heroic actions," and said he was putting out a call to "reexamine how society views and portrays the millions of men and women who work every day to make the world safer."

What he left out is that for many current and former employees, Allied itself is responsible for many of the negative experiences in the security industry. TIME interviewed 11 people across four states who currently work for Allied or who have worked for the company in the last two years. Their complaints include

that they're put in dangerous situations without essential equipment or training, and that Allied keeps winning contracts but lacks the staff to fulfill them. Many complain that Allied has miscalculated how much it owes them and missed paychecks. (A federal class action lawsuit filed in 2022 alleges that Allied pays employees based on scheduled hours rather than actual hours worked. Allied has disputed these claims in court; in April, Allied agreed to enter into mediation with its 27,000 Illinois security guards.)

"They're worried about how many contracts they get, not about hiring good, quality people," says one Allied guard, who works on the campus of the University of Pennsylvania and who did not want his name used for fear of jeopardizing his job. Though he works in an area with a lot of crime, and has been pushed around by civilians, he says he has not received de-escalation training or self defense training. His division is frequently short-staffed and provided with faulty equipment like broken radios. "It's a broken system and people aren't being trained properly," he says.

Allied said, in a statement provided to TIME, that it has established procedures and protocols to serve and protect, "including training on enhanced situational awareness, de-escalation techniques, respect for cultural diversity and customer service," but did not specifically comment on the guard's claim.

Read more: In the World of Private Security, There Aren't Many Rules or Regulations

TIME also reviewed 30 civil lawsuits filed since 2020 in which Allied is a defendant, and which allege that the company repeatedly failed civilians. They include a complaint from Eduardo Fernandez, a 76-year-old man who says he was robbed and beaten by a fellow passenger while traveling on Miami's Metromover train in September 2020, suffering skull fractures and brain hemorrhaging. An Allied guard who entered the train "seconds" before the attack did not intervene, Fernandez argues. Recent court documents show that the Allied guard was Reinaldo Palenzuela III, who resigned from the Florida Dept. of Corrections in 2019 after being formally charged with one count of battery on a detainee. The lawsuit alleges that Allied failed to hire, retain, and

train its security personnel; Fernandez argues that two Allied executives said during court proceedings that Palenzuela was unqualified to be placed on the transit contract. The case is set to go on trial in August.

In another lawsuit filed in New York in December, Julie Trowers, an Allied employee, alleged that a male employee pulled out his penis and started masturbating as she trained him on a patrol route on the campus of New York University. The male employee allegedly boasted to Trowers that he had not been required to take a drug test, submit his fingerprint, or consent to a criminal background check before he was hired; he also said he was not required to undergo sexual harassment training, according to her complaint. The lawsuit, which was settled in April without any finding of liability, alleged that had Allied screened the male employee, it never would have hired him, and that the company is "similarly careless" with respect to the licensing status and potential criminal backgrounds of many of the guards it hires.

Allied said, in a statement, that all security professionals must pass "a rigorous pre-hire background screening process and training courses that frequently exceed government and industry standards."

How Allied lags in training and supervising workers

Allied is so big in part because it buys up smaller security companies—it has acquired at least 15 firms since 2021, including G4S, a British company that had been the world's largest security company and that repeatedly came under scrutiny, including for having employed Omar Mateen, who killed 49 people at an Orlando nightclub in 2016. Allied's acquisitions of one-time public companies like G4S have made it difficult to determine what is going on behind the scenes: since the company is privately held, outsiders and analysts have little insight into its financials or business practices. "The industry is becoming more opaque than it has ever been before," says Michael Field, an analyst at Morningstar who covered the security industry until recently, changing his role in part because there are so few remaining public security companies.

The complaints about Allied are important to assess as the security industry continues to grow, supplementing publicly-funded police departments that are accountable to the public. Allied is the biggest security firm in the world, which allows it to save money on back office operations, offer low rates, and attract more clients. But the company's size and rapid growth, experts say, may be contributing to the problems that are glaring issues with the security industry writ large. Global security revenues are forecast to increase 4.4% each year to 2026, when they will reach \$295 billion, according to a report from the Freedonia Group. "When you have that kind of growth," says Rick McCann, the founder of Private Officer International, an association for security officers that tracks trends in the industry, "the quality goes down and not up."

Read more: Private Security Guards Are Replacing Police Across America

The best security companies have a strong record of training employees and supervising them on the job. Those that don't open themselves up to liability issues and lawsuits, says Joseph Jaksa, a professor of criminal justice at Saginaw Valley State University.

Cearrah Peterson noticed a problem with supervision at Allied right away. She started working for Allied at an Atlanta hospital in 2020 and says that she received almost no training for a job that was very physical; it included disarming people with guns and keeping mentally ill patients in their rooms. She was injured twice in those initial months, once when she was trying to keep a patient in his room but he overpowered her, and once when she was told to remove a man from the hospital who was holding a nurse in a room against her will. She heard nothing from Allied or from her supervisors at the time—she says she later found out that the team supervising the hospital workers had all quit.

"We were getting hurt on the job, nobody was backing us up, and we'd call the police and they wouldn't come," says Peterson, who worked for Allied in both Maryland and Georgia. "It was just so poorly managed." Peterson eventually got promoted to operations manager, responsible for supervising 200 security guards, and says there was no way to do the job without working around the https://time.com/278584/2000581

clock—although the company was still only paying for 40 hours a week of work. She quit the job after being denied a leave of absence to take care of her mental and physical health, she says.

Although the contract between G4S (which was acquired by Allied in April 2021) and the Florida Department of Juvenile Justice required two officers to be on duty for each shift—a male and a female—to ensure that male officers could intake male patients and female officers could intake females at a Palm Beach juvenile detention center, a G4S supervisor in July of 2021 allegedly allowed a night shift to be staffed by a single male worker, who then sexually assaulted a teen, according to a motion for summary judgment filed by the the teen in January. The G4S supervisor also said, in a deposition, that he knew the worker did not have the background in law enforcement or year experience working with delinquent youth required of security guards at the detention center, but still allowed him to work a shift, which became a problem when the other male scheduled to work never showed up. In the deposition, the supervisor admitted that in the last few months of the contract, which ended in August 2021, "there were multiple times where G4S was not able to provide the proper staff to fill each shift," and that he himself had skipped the shifts where he was supposed to show up at the detention center in person. The case was settled in February.

Other Allied employees say that supervisors encourage employees to cut corners to get all the necessary work done. "They have you so overloaded, there's no way to check all the sites you're supposed to be checking," says Jason Barnhouse, who worked for Allied in Palm Desert, Calif. and who says managers told him to ignore stop lights and exceed speed limits to check all the sites he was supposed to visit on patrol.

In the runup to a California music festival that Allied was supposed to staff, Barnhouse says that his branch could not find enough workers. "We said, 'Nobody wants to work for us at the wages you're offering,'" he says—around \$16 an hour at the time. Instead, he alleges, an Allied manager said she would find people off the street to work the festival, even though doing so would violate California regulations as people working as security are required to

have completed training. Barnhouse does not know whether the manager carried through with that plan.

It's not unusual for people employed by another company to work on Allied contracts. In August 2021, Gregory Livingston, a white security guard, shot and killed Alvin Motley Jr., a black man, at a Kroger gas station in Memphis, Tenn., after an altercation over loud music. Although Kroger had contracted with Allied Universal for security services, Allied had hired a third-party security firm to staff the role. The guard had never qualified for certification as a security guard in Tennessee, according to reporting by *The Tennessean*. Kroger severed its relationship with Allied after the incident. Livingston's trial is set for October; his lawyer says he was acting in self defense.

The Walgreens security guard who allegedly shot and killed Banko Brown, a 24-year-old trans man, at a San Francisco store in April, was also employed by an Allied subcontractor, according to reporting from *The San Francisco Standard*; the San Francisco D.A. declined to press charges against the guard, saying he believed he was in "mortal danger" and acted in self defense.

Allied says "all subcontractors are required to adhere to Allied Universal standards and client requirements." It also said, in a statement, that it "does not tolerate aggressive or inappropriate behavior of any kind by our employees." The company's use of force policy and ongoing awareness campaigns train employees on de-escalation, the company said; these procedures are reinforced through initial training and "constant" re-training. The company also said that it investigates the causes of all incidents and takes action to limit the possibility that similar situations will reoccur. Management "acts promptly to ensure issues are resolved, our standards are upheld and employees are terminated, if warranted under our zero tolerance policy," the company said.

Of course, the services that Allied can offer are largely determined by what their clients agree to pay. Allied may charge a client a certain amount per hour for security services; it then takes a cut of the agreed-upon rate and uses the rest to pay its employees and cover other administrative expenses. But many AhmedAllied 000675

clients have not significantly increased their rates in a tight labor market, which leaves Allied little wiggle room to spend more on recruiting or training. With fewer police officers across the country, businesses are left to hire out of their own pockets, a proposition that can cut into their bottom line.

"This whole security industry is all based on what the client is willing to pay," says McCann, of Private Officer International.

An Allied executive, Charlie Bohnenberger, went before Charlotte's City Council in April to plead for wage increases for security staff contracted to patrol the regional transit system. "In order to address the police staffing shortages, we need wage adjustments," he said, as the city weighed whether to replace Allied. Allied has presented a 13-page report to Charlotte showing that it would need to pay \$31.60 an hour to retain and recruit guards, he said; the company was offering \$25 an hour at the time. Allied lost the Charlotte contract.

The challenge of replacing private security

Allied has taken hits for its struggle to recruit and retain enough quality security guards. The Denver Post reported in 2022 that Allied could not fill 83 of the 290 jobs it was contracted to staff on the regional transit system, which meant that Denver fined Allied millions of dollars for not being able to execute its end of the deal. In Costa Mesa, Calif., Allied ran jail services until a year ago when the city terminated the contract because "mass resignation" of employees meant that only two trained jailers were left working at the facility, which has 32 beds.

And in Santa Monica, Calif., a property owner, John Alle, spent a year trying to convince the city to replace Allied with another company. The parking lots of downtown Santa Monica have been the scene of a murder, an attempted carjacking, and numerous drug deals since 2020, and Alle says the contract with Allied is partly to blame. "They're unarmed, they're scared, and they're young," says Alle, about the Allied guards he has encountered. "If they see vagrants or drugs or guns, they'll stay away for their own safety." In December, Santa Ahmed Allied 000676

Monica agreed to replace Allied with another firm. The city says that it has been "short on officers for several years" but that it is making strides in hiring police.

Those guards who can find work outside of Allied are doing so. Christopher Russell, who patrolled the San Diego shopping plaza, applied for a job at another security company, and after multiple rounds of interviews, got a job there making double what he had made at Allied.

Allied said, in a statement, that its high recruiting and safety standards had led to an "industry leading customer retention rate," and that the average tenure of its top clients is more than 10 years. It protects more than 400 of the FORTUNE 500 companies.

The company's sheer size is one reason that industry experts don't think Allied —or the larger private security industry—is going to disappear anytime soon. There's been so much consolidation in the industry that there aren't many choices for cities or businesses who want to hire private security. In Charlotte, one of the firms chosen to replace Allied on the security contract said that Allied has subcontracted them to provide security services on a New York transit system. "It's a revolving door, there's only so many companies serving that area," says McCann. "Eventually they're going to come back to you."

Indeed, in Santa Monica, John Alle says that the new firm hired by the city in December is not a whole lot better than Allied. Crime is getting worse, he says, with police responding to more crimes, including stabbings, carjackings, and overdoses. He's still advocating for more money to be spent on police, rather than on private security.

But similar efforts around the country to return to police have not been successful. Charlotte's Mayor Pro Tem Braxton Winston tried to convince Charlotte to stop using private security to patrol its transit system—instead, he said, he thought more money should be spent on police. The city had been getting many complaints and bad reviews from constituents who said that the

going through a mental crisis, he says, and district attorneys complained that guards would send arrest reports or citations that were not usable.

In April, the city ultimately decided to replace Allied with two firms. One firm will supply unarmed guards on the transit system, and the other will provide armed guards. Though Winston had advocated for more money for the local police so that they could expand into transit, he didn't convince his colleagues. Instead, they decided to double the amount they were spending—from \$7 million to \$14 million—and hire even more private security.

CONTACT US AT LETTERS@TIME.COM.

Exhibit 11

Allied's EEOC Position Statement

February 27, 2023

EEOC Houston District Office 1919 Smith Street, 6th Floor Houston, TX 77002

Re: Twana Ahmed v. Allied Universal

Charge No. 460-2023-00103

Dear Sir/Madam:

Please allow this letter to serve as the complete Response of Universal Protection Service, LP d/b/a Allied Universal Security Services ("Allied Universal") regarding the above-referenced complaint and any questionnaires or requests for information. Allied Universal reserves the right to supplement or modify this Position Statement should additional information become available.

The Complainant, Twana Ahmed ("Mr. Ahmed"), alleges that he was unlawfully discriminated against on the basis of his national origin, race, and religion and retaliated against. Allied Universal categorically denies Mr. Ahmed's claims. At all times, Allied Universal and its agents have complied with Allied Universal's own legitimate policies and all local, state, and federal laws regarding fair employment practices.

I. FACTS

Allied Universal provides security services to many clients at sites throughout the Houston area. At all relevant times, Mr. Ahmed worked as a security professional at one such site, an H-E-B grocery store.¹

On or about December 15, 2021, Mr. Ahmed was hired. Upon hire, Mr. Ahmed received access to the employee handbook and acknowledged that he was expected to read and comply with all Company policies and procedures and understood that disciplinary action, up to and including termination, may result if he violated any Company policy or requirement, regardless whether such policy or requirement is specifically stated in the handbook.²

At that time, Mr. Ahmed also acknowledged that it is Allied Universal's policy that employees shall not use physical force against persons unless the employee reasonably believes such force to be necessary to protect the employee or another individual from imminent bodily harm. The extent of force employed must not exceed

¹ See Exhibit A

² See Exhibit B, pg. 18 – Personnel File

the minimum amount of force necessary to counter the threat, and may be employed only for as long as the threat persists. Allied Universal considers any time an employee physically touches another person to achieve a desired level of compliance to be a use of force. This includes any time an officer uses his hands, body, defensive tactics or equipment in the course of their duties which requires reporting and notification as outlined in the Use of Force and Reporting Policy. Allied Universal security officers must be mindful that the purpose of force is to overcome aggression or threats and only to protect the lives of the officer or other persons. The application of force for any other purpose is not justified.³

Allied Universal has anti-discrimination, anti-harassment, and anti-retaliation policies. Employees are encouraged to report any issues to their supervisors, human resources representatives, or through Allied Universal's internal employee hotline.

In his present Charge, Mr. Ahmed falsely claims that Client Manager Patrick Freeney ("Mr. Freeney") (Black/African American) made fun of a Hispanic recruit's accent during a training in November 2021 and that this was the reason the recruit quit. Neither human resources nor management received any complaints regarding this alleged conduct by Mr. Freeney from Mr. Ahmed or any other employees. Additionally, Mr. Freeney only made one or two brief visits into the classroom during this training, which was led by Regional Trainer Monroe McClain (Black/African American). Site Supervisor Mauricio Zepeda ("Mr. Zepeda") (Hispanic or Latino) was also present at various times throughout the training, and Mr. Zepeda confirmed that he did not hear Mr. Freeney make any inappropriate comments. There were approximately six Hispanic or Latino males in this training session. Two of them ultimately resigned because they did not like the schedule that was offered to them.

Mr. Ahmed goes on to claim that during training, Mr. Freeney told him that he had to shave his beard and that Mr. Ahmed responded that he could not shave his bread due to his religion. In reality, Mr. Ahmed was never told that he had to shave his beard. He was advised that, pursuant to Company policy, he needed to have his beard neatly trimmed to conform to the contours of the face. When Mr. Ahmed responded that he could not shave his beard due to his religious beliefs, Mr. Zepeda informed him that exceptions may be made for religious reasons as an accommodation and that Mr. Ahmed would need to speak to Mr. Freeney or human resources regarding an accommodation request. Mr. Zepeda also reiterated that he did not have to shave his beard completely and that it could look like his did, which was approximately one inch long. Mr. Ahmad's beard was approximately three inches long at that time. Mr. Ahmed agreed and did not voice any additional concerns.

³ See Exhibit B, pg. 2

⁴ See Exhibit C, pg. 80 – Employee Handbook

⁵ See Exhibit C, pg. 61

A few weeks later, while Mr. Zepeda was performing uniform inspections, he noticed that Mr. Ahmed had not trimmed his beard. He reminded him of the requirements unless he had obtained an approved accommodation request. However, Mr. Ahmed did not contact human resources to request an accommodation. Shortly afterward, Mr. Ahmed trimmed his beard and did not make any complaints alleging that he was not being adequately accommodated.

In his Charge, Mr. Ahmed claims that he noticed other security professionals who had beards that were allegedly longer than his was. At that time, there was only one other security professional (Black/African American) who had a longer beard than Mr. Ahmed, and he was also asked to trim his beard in accordance with Company policy unless he requested a medical or religious accommodation, and this employee subsequently trimmed his beard as requested.

Mr. Ahmed also claims that he was not issued a body camera but several other security professionals were issued one. At that time, the Company did not have enough body cameras and batons for all of the security personnel at this site, so they could not be issued to everyone initially. Mr. Zepeda and Mr. Freeney explained this to Mr. Ahmed and informed him that he would be issued a body camera and baton as soon as they received more. Mr. Ahmed confirmed that he understood and did not complain about this. These items were eventually issued to him.

On February 15, 2022, Mr. Ahmed appeared for work out of proper uniform by wearing dark grey shoes instead of black shoes and dirty uniform pants. The following day, Mr. Freeney issued him a counseling notice⁶ for this violation of policy.⁷

On April 4, 2022, Mr. Ahmed noticed a suspected shoplifter and disregarded his training and post orders when he forcefully pushed the individual against the wall and applied steel handcuffs to his wrists behind his back before he exited the store. At no time did Mr. Ahmed employ de-escalation techniques as required. This maneuver was outside the scope of his job duties and a violation of the Company's Use of Force policy. Mr. Ahmed's actions resulted in an H-E-B customer being improperly detained. Additionally, law enforcement could not charge this individual with shoplifting because Mr. Ahmed's actions prevented the individual from actually leaving the store with any merchandise that was not purchased.

As outlined in the employee handbook, abuse of a visitor or other third party (physical, vernal, or otherwise), including inappropriate use of force in violation of the Use of Force policy is a violation that may result in disciplinary action up to and including immediate termination of employment.8

⁶ See Exhibit D – Counseling Notice 2/15/22

⁷ See Exhibit C, pgs. 64 and 57

⁸ See Exhibit C, pg. 52

Mr. Ahmed was well aware of the Company's Use of Force policy and procedures. In fact, as recently as February 14, 2022, all security professionals at this site and in the area received supplemental training regarding the Company's Use of Force policy as a refresher, including proper/appropriate use of force techniques, de-escalation practices, and security personnel's role in loss prevention/shoplifting.

Security professionals, as result of their position, have no elevated legal duty or authority to arrest a subject. A person is considered arrested or detained when he/she is not free to leave the scene, regardless of whether force or coercion has been used. Though state laws vary, a Citizen's Arrest generally can only be made if all three of these conditions have been met: (1) A felony has been committed in your presence; (2) The police would not be able to respond in time to prevent injury from imminent physical harm or death, (a justified use of reasonable) force, or the escape of the subject; and (3) Your site's contract and post orders permit you to make a citizen's arrest. Making a physical arrest should be an act of last resort. Otherwise, if asked to stop a customer by a client employee, the security professional should politely refuse, citing that doing so is against Company security policy.

Immediately afterward, the client notified Field Supervisor Alexzander Bergeron ("Mr. Bergeron") (White/Not Hispanic) of the incident and was reportedly appalled by Mr. Ahmed's use of force. The client confirmed that Mr. Ahmed recognized the suspected shoplifter and brought it to the client's attention, who then immediately contacted law enforcement. Despite this, Mr. Ahmed chose to wait and hide behind a wall in the lobby for the individual to walk toward the exit of the store and then immediately handcuffed him. Mr. Bergeron instructed Mr. Ahmed to submit a Use of Force report. However, Mr. Ahmed failed to submit the report within 24 hours as required.

Following this, Mr. Ahmed was interviewed by Mr. Freeney to determine his motivation for taking the action he did. Mr. Ahmed claimed that the client came to him to request his assistance with a suspected shoplifter. Mr. Ahmed stated that he acknowledged the request and then waited behind the door for the shoplifter to try to exit the store. Mr. Ahmed never claimed that this individual made any threatening comments to him or that he was drunk, which Mr. Ahmed now includes in his present Charge. At that time, Mr. Ahmed refused to provide a written statement. Mr. Ahmed was notified that his employment was temporarily suspended pending further investigation.

Mr. Freeney discussed the incident with Mr. Bergeron, the site supervisors, and the shift supervisor to determine what corrective action was warranted. Given Mr. Ahmed's blatant disregard of policy and failure to take any steps to deescalate the situation, they agreed that termination of Mr. Ahmed's employment was appropriate.

⁹ See Exhibit C, pg. 41

Accordingly, Mr. Freeney notified Mr. Ahmed of this decision on or about April 7th. Mr. Freeney asked Mr. Ahmed to sign a termination notice, but he refused.

On May 25, 2022, Mr. Ahmed made a complaint via the employee hotline against Mr. Freeney. Mr. Ahmed claimed that Mr. Freeney asked him to trim his beard during Ramadan and that he noticed other employees that had longer beards than him, which suggested to him that he had been targeted and dealt with unfairly by Mr. Freeney. Mr. Ahmed also claimed that Mr. Freeney cursed at him and threatened him regarding not appearing for work on a day that Mr. Ahmed claimed he was not scheduled to work. Finally, Mr. Ahmed complained that he was suspended until further notice after detaining someone during the process of a crime and stated that he assumed he was terminated because no one had called him back to notify him of his work status or issue any disciplinary notice.

Human Resources Representative Wayne Oliver ("Mr. Oliver") investigated Mr. Ahmed's complaint and contacted Mr. Freeney to discuss the allegations. Mr. Freeney confirmed that he did not have a conversation with Mr. Ahmed about his beard during Ramadan and that he never made any unprofessional or threatening comments to Mr. Ahmed or any other employee. Mr. Freeney confirmed that he informed Mr. Ahmed that his employment was terminated based on his violation of the Company's Use of Force policy after discussing the incident with the supervisors.

Mr. Oliver also spoke to Mr. Bergeron regarding the incident. Based on the evidence that Mr. Oliver gathered, he was unable to substantiate any of the allegations contained in Mr. Ahmed's complaint. On or about June 11, 2022, Mr. Oliver informed Mr. Ahmed that he was unable to substantiate his complaint and confirmed that the termination of his employment based on his violation of the Company's Use of Force policy stood.

II. DISCUSSION

A. Mr. Ahmed cannot state a claim for discrimination and his complaint must be dismissed.

Allied Universal denies that it discriminated against Mr. Ahmed. To state a claim for discrimination, an employee must show that he or she was treated less favorably than other similarly situated employees due to his or her membership in a protected class. As a preliminary matter, Mr. Ahmed's Charge is devoid of any factual allegations which support his claims that he was treated differently than similarly situated employees because of his religion, national origin, or race. Mr. Ahmed's complaints against Mr. Freeney claiming that he treated him differently or that he made inappropriate comments to him only came after Mr. Ahmed's employment was terminated and as such, were made in bad faith. Regardless, his complaint wa investigated and unsubstantiated.

Mr. Ahmed's employment was suspended and ultimately terminated based on his violation of the Company's Use of Force policy. This is a legitimate, nondiscriminatory reason and violation of the Use of Force policy is an immediately terminable offense. Accordingly, Mr. Ahmed cannot state a claim for discrimination, and his complaint must be dismissed.

B. Mr. Ahmed cannot state a claim for retaliation and his complaint must be dismissed.

Allied Universal denies that it retaliated against Mr. Ahmed. To state a claim for retaliation, an employee must show that he or she: (1) engaged in a protected employment activity by reporting discrimination and/or harassment and (2) subsequently experienced an adverse employment action. Here, Mr. Ahmed never engaged in protected activity during his employment and only made a complaint alleging discrimination after his employment was terminated. As such, he did not experience an adverse employment action as a result of his complaint, and his retaliation is fatally flawed.

Mr. Ahmed's employment was terminated due to his violation of the Company's Use of Force policy, which is a legitimate, non-retaliatory reason. Based on the foregoing, Mr. Ahmed was not retaliated against and his complaint must be dismissed.

III. CONCLUSION

In summary, Mr. Ahmed was not discriminated and/or retaliated against. Mr. Ahmed's employment was suspended and ultimately terminated based on his violation of the Company's Use of Force policy, which is a legitimate, nondiscriminatory and non-retaliatory reason. Mr. Ahmed's subsequent complaint alleging discrimination was investigated and unsubstantiated. As Mr. Ahmed's claims lack merit, Allied Universal respectfully requests that you dismiss his complaint and enter a finding of no probable cause.

Thank you for your consideration of our position. Requests for additional information should be emailed to Audra. Caldwell@aus.com. If you need to speak with someone please contact Ms. Caldwell at 678-472-3202.

Sincerely,

Audra Caldwell Legal Services Group

Allied Universal 161 Washington Street, Suite 600 Conshohocken, PA 19428

Exhibit 12

Allied's use of force policy

Allied

Allied Universal Security Services Policy Statement

Legal - Use of Force and Reporting Policy

DATE REVISED: 08/22/2021

SOURCE: **Legal Department**

PREPARED BY: James C. Grant, Director, Firearms & Use of Force

Policy: Procedure: Y

Purpose:

To articulate policy and procedures concerning the use of force.

Person(s) Responsible:

Division Presidents Region Presidents Region Vice Presidents Branch Managers (or similar) Account and Field Operations (or similar)

Scope of Employees Covered:

This policy applies to all employees of Allied Universal Security Services.

Use of Force I.

Use of Force- General Principles

It is Allied Universal's policy that employees shall not use physical force against persons unless the employee reasonably believes that such force to be necessary to protect the employee or another individual from imminent bodily harm. The extent of force employed must not exceed the minimum amount of force necessary to counter the threat, and may be employed only for as long as the threat persists, as described in more detail below.

In most circumstances, disengagement in favor of calling law enforcement authorities is preferable choice. Further, a decision to use force in any situation shall consider the likelihood of success and the risks to the Security Professional. Under no circumstances should a Security Professional engage in a physical altercation that is likely to result in physical injury to the Security Professional or that is unlikely to effectively counter the threat.

Allied Universal considers any time an employee physically touches another person to achieve a desired level of compliance to be a use of force. A use of force includes:

- Use of hands, body, defensive tactics or equipment, less lethal weapons, or firearms in the course of duties;
- Pursuit of any kind;
- Display or brandishing of any weapon;
- Deployment of a working dog.

As an exception to this policy, routine therapeutic patient restraint procedures and routine handcuffing during police operations (i.e. Company Police, Special Officers) do not need to be reported to the Legal Services Group. In these environments, the Corporate Use of Force Report only needs to be completed if they involve the use of weapons, injuries to our employees, the subject or a third party, if there is some other unusual or unexpected outcome, or if the subject of medically-ordered therapeutic restraint resisted the procedure.

Possession of Weapons Prohibited

No Allied Universal employee or agent may carry, possess, or store a firearm or other weapon, including less lethal weapons during the course and scope of their employment, except as permitted by this policy. Except where state law prohibits such a restriction, this policy shall prohibit the carrying of a personal firearm to work, as well as having a personal firearm available in the passenger compartment or trunk of a Company vehicle or private vehicle being used for work purposes. As stated in the employee handbook, employees who violate this policy will be subject to discipline up to, and including, termination.

Use of Force Continuum

The Use of Force Continuum shall be the standard model for the use of force by all Allied Universal Security Professionals. The continuum is broken down into six broad levels. Each is designed to have an elastic factor to accommodate evolving situations evoking different levels of force. It is common for the level of force to move from level two, to level three, and back again in a matter of seconds.

Allied Universal Security Professionals should be mindful that so long as prudent under the circumstances, disengagement in favor of calling the police or other law enforcement authorities is always the preferred course of action as part of the force continuum.

Additionally, Security Professionals must remember that the Use of Force Continuum relates not only to the escalation of the Use of Force but also directs the de-escalation of techniques as the subject's threats diminish or stop.

The following diagram demonstrates the escalation and de-escalation of the use of force with 1 being the least force used and 6 being deadly force:



LEVEL ONE

Officer Presence. The mere presence of a highly visible uniformed Security Professional may stop a crime in progress or prevent future crime. Without saying a word, an alert Security Professional can deter crime or direct criminals away from a property by use of body language and gestures. At this level gestures should be non-threatening and professional.

LEVEL TWO

Verbal Communication. Used in combination with a visible presence, the use of the voice can usually achieve the desired results. Words can be whispered, used normally, or shouted to be effective. The content of the message is as important as the Security Professionals demeanor. It's always best to start out calm but firm and non-threatening. Choice of words and intensity can be increased as necessary or used in short commands in serious situations. The right combination of words can de-escalate a tense situation and prevent the need for a physical altercation. Training and experience improves the ability of a security officer to communicate effectively with everyone, including the police.

NOTE: All uses of force above Level Two require the preparation and submission of a Use of Force Report

LEVEL THREE

Allied Universal Security Services Use of Force and Reporting Policy -February 2020

Use of Open Hands, Control Holds & Restraints. Certain situations may arise where words alone do not reduce the aggression. Sometimes Security Professionals will need to get involved physically. At this level, minimal force would involve the use of bare hands to guide, hold, or restrain. This does <u>not</u> include offensive moves such as punching, tackling, or choking. Pain compliance holds could apply here but only after ordinary holds fail to control an aggressive suspect. A baton may only be used at this level as a self-defense mechanism to block blows or temporarily restrain a suspect. Handcuffs can be used a restraint devise only if the officer has been trained to do so. Not every suspect needs to be handcuffed. Restraints should only be used on a person who exhibits aggression, poses a real threat. Handcuffs should not be applied too tightly and should be double-locked when safe to do so. Once a suspect is handcuffed, the officer is responsible for his or her safety. To avoid the possibility of "positional asphyxiation," Allied Universal Security Professionals may not pile on top of a suspect, or place a handcuffed suspect face-down on the ground. Hog-ties and hobbling (tying legs together) are prohibited.

LEVEL FOUR

Less Lethal Defensive Spray (O.C.). When a suspect is violent or threatening, more extreme but less lethal measures may be used in defense, to bring the suspect under control, or affect an arrest. Before a Security Professional may moving to level four, it is assumed that he or she exercised other less physical measures or deemed them inappropriate. When used by surprise, pepper spray is an excellent distraction, allowing the officer time to get away, call the police, or subdue the suspect. Pepper spray should <u>not</u> be used to protect property or to enforce business rules. It is a defensive weapon. Pepper spray must be directed in the suspect's face for maximum result, and not sprayed wildly at groups of people. Even though considered less lethal, pepper sprays can cause severe reaction and possible injury. Also, pepper sprays have a blinding effect and care must be used that spray victims do not fall down stairs, wander into traffic, or operate a motor vehicle.

LEVEL FIVE

Temporary Incapacitation. This level of force may only be employed when the situation is so extreme, violent, and immediate that it is necessary to temporarily incapacitate a suspect prior to the arrival of the police. This includes the use of all methods of non-deadly force beginning with the empty hand up through and including impact tools, Taser's or working dogs. At level five, properly used defensive and offensive moves (including take downs, knee, hand, and elbow and arm strikes) are allowed under the right circumstances. Baton blows to soft tissue and certain joint areas are consistent with professional security training standards. Kicking any part of a subject's body, and baton blows to the suspect's head or throat, however, can be deadly, and are inconsistent with professional training standards, and are strictly prohibited unless the use of deadly force is justified. Any violation of this directive will be treated as a serious offense warranting discipline up to, and including, termination.

Temporary incapacitation is used to stop a suspect from injuring an officer or others, permitting the application of handcuffs or other restraints. Electronic control devices ("ECDs") also

known as conducted electrical weapons, and "Tasers" are a recognized means of temporarily incapacitating an assailant, but may only be carried by an Allied Universal Security Professional with the express approval of the Chief Administrative Officer and General Counsel in consultation with the Legal Services Group.

LEVEL SIX

Deadly Force. Allied Universal Security Professionals are justified in threatening or using less lethal force against another when and to the extent that the officer reasonably believes that such threat or force is necessary to defend him/herself or a third party against another's imminent use of unlawful force. Deadly force, however, may be used only when necessary, that is, when the officer has a reasonable belief that the subject of such force poses an imminent danger of death or serious physical injury to the officer or to another person, and the use of lesser force is not possible or would not extinguish the threat.

By way of example, but not limitation:

- A. Deadly force generally may not be used to prevent the escape of a fleeing suspect unless that individual poses an imminent threat to the safety of others.
- B. Firearms may not be fired for the purpose of disabling moving vehicles.
- C. Firearms may not be discharged at or from a moving vehicle.
- D. Warning shots are not permitted.

If feasible and if to do so would not increase the danger to the Security Professional or others, a verbal warning to submit to the authority of the officer shall be given prior to the use of deadly force.

When the decision is made to use force, an Armed Security Professional may continue its application only until the subject surrenders or otherwise no longer poses an imminent danger to the Security Professional or to others.

When the application of deadly force is necessary, attempts to wound or otherwise cause minor injury are unrealistic and impractical, and can prove dangerous to the Security Professional and others because such attempts are unlikely to neutralize the imminent danger he or she confronts.

The brandishing of an un-holstered firearm in a public setting is strictly prohibited unless the situation warrants the use of deadly force as stated herein. Even when deadly force is permissible, Armed Security Professionals should assess whether its use creates a danger to third parties that outweighs the likely benefits of its use. Consideration must be given to innocent bystanders and Security Professionals shall not unreasonably endanger the safety or welfare of bystanders.

Additional Criteria for All Uses of Force

Whether deadly or less lethal, when force is used against a person it must cease when the resistance or threat is overcome or ceases. Allied Universal Security Professionals must be mindful that the purpose of force is to overcome aggression or threats and only to protect the lives of the officer or other persons. The application of force for any other purpose is not justified.

Since the Use of Force Continuum requires the exercise of less lethal force before resorting to deadly force, no Allied Universal security officer will be authorized to carry a firearm unless and until that officer is trained in the use of, and equipped with, a less lethal weapon such as a baton, pepper O.C. (Oleoresin Capsicum) spray, or ECDs.

NOTE: Adoption or use of Client-specific use of force policies must be approved by the Legal Services Group.

Allied Universal Security Professionals will exercise only that level of force necessary to deescalate an incident and safely achieve control. As indicated by the Use of Force Continuum, whenever feasible, verbal commands should be given before resort to physical compliance techniques or the use of O.C. spray, a baton, or stun device. The level of force necessary to safely achieve control will logically be proportionate with the level of resistance confronted.

Monitoring of the Subject and Medical Attention

Once a combative subject has been detained it is important to monitor them for any medical problems resulting for the use of defense tactics or equipment. Medical professionals shall be summoned for any subject who has been exposed to prolonged fighting, OC spray, baton strike, ECD use, dog bite, gunshot wound or with any other obvious injury or medical difficulty. In the case of OC spray, immediate post-exposure cleansing should begin as soon as it is tactically safe to do so.

Pursuit

Pursuit is defined as travelling at a faster pace or speed than a suspect, with the objective to approach and detain a suspect who is attempting to flee the scene of a crime and/or to avoid arrest/detention. Pursuit is prohibited except in situations where failure to detain the suspect could cause death or serious bodily injury.

Pursuit does not include following at a rate and manner to maintain surveillance of the fleeing suspect with the intent to relay information to responding Law Enforcement or to contact the suspect who ceases to flee.

Vehicle Pursuits

A pursuit using a vehicle is defined as using a vehicle to follow a suspect who is on foot or in a vehicle while travelling at a higher speed than normal for the environment or in a manner that would be considered unsafe for the environment.

Vehicle Pursuits are prohibited, no matter the circumstances or equipment provided on security vehicles

Following a suspect or a suspect vehicle shall not be done in a manner that is unsafe or violates any jurisdictional vehicle code (speed limits or traffic control laws) or private property rules.

Detention and Legal Arrest

A Security Professional, as result of his/her position, has no elevated legal duty or authority to detain or arrest a subject.

A person is considered arrested or detained when he/she is not free to leave the scene, regardless of whether force or coercion has been used.

Generally, a Security Professional's ability to make a lawful arrest is governed by the same laws which govern arrests made by private citizens, commonly referred to as a "citizen's arrest". Therefore, a Security Professional should understand the law in the jurisdiction where they are working with respect to a private citizen's ability to perform a lawful arrest. What may be considered a lawful detention and arrest in one state may be unlawful in another state.

Security Professionals may only make a Citizen's Arrest under a set of very strict circumstances. Though state laws vary, a Citizen's Arrest generally can only be made if all three of these conditions have been met:

- A felony has been committed in your presence
- The police would not be able to respond in time to prevent injury from imminent physical harm or death (a justified use of reasonable) force or the escape of the subject
- Your site's contract and post orders permit you make a citizen's arrest

Making a physical arrest should be an act of last resort and local law enforcement must be immediately notified.

There is no legal obligation for a Security Professional to make an arrest. While it is recognized that there are situations wherein Security Professionals do make arrests, if the situation is unsafe, the decision to not arrest may be appropriate. In such a situation, notifying and waiting for Law Enforcement may be prudent.

Moving an Arrestee

While awaiting the arrival of Law Enforcement, the Security Professional should keep the arrestee at the scene of the apprehension, unless doing so would be unsafe. The arrestee should be placed in a seated position, either on a chair or other elevated stable object. If no such object is available the arrestee may be seated on the ground.

Any handcuffed and compliant arrestee shall be seated or under direct physical control of a security professional.

As set forth above in Section I (Use of Force Level 3) at no time shall a restrained subject be left in a prone (face-down) position. Hog tying or hobbling of subjects is prohibited.

If it is prudent to move the arrestee due to tactical or procedural considerations, then the arrestee may be escorted to another location.

The arrestee shall be under the observation of Security Professionals at all times until placed in the custody of Law Enforcement. The constant observation of the arrestee is for the safety of all persons, to limit the attempt to escape, or to protect against the destruction of evidence.

Exceptions to the Pursuit/Detention/Arrest Policy Statements

In some instances, Allied Universal Security Professionals' have different duties and legal authorities, such as "police type" operations (i.e. Company Police, Special Officers), certain retail environments, facilities impacting national security or critical infrastructure. In these instances, further policy instructions, in conjunction with local regulations regarding the limits of your authority, will be communicated at the job level.

II. **Reporting Requirements and Response**

Required Reporting

In every incident involving the Use of Force, the employees(s) involved must complete a "Use of Force Incident Report" and this form is to be forwarded by the Account Manager or Field Operations Manager over the Security Professional involved in the event to the Legal Services Group (force@aus.com) with copies to the supervisor's management chain (i.e. BM, RVP, RPs) within 24 hours of the event. This report will provide detail about the incident including the identity of those involved, the level and type of force applied, and the reasons for its application. Injuries to either officers or others must be fully described, as must any resultant property damage.

Branch and Regional Office management are responsible for strict compliance with notification requirements specified by all relevant state, local, and county private security licensing and regulatory authorities.

Within 5 business days of the event, Branch Office management will review the incident, the Security Professional(s) immediate supervisor must make a recommendation regarding whether the use of force complied with company policy, contract deliverables, and local regulations or if any additional investigation is dictated by the facts and circumstances of the incident.

Response

In all incidents involving the Use of Force, the Security Professional's immediate supervisor will respond to the scene as soon as practicable to gather the facts and assist the officer in the preparation of Use of Force Incident Report. He or she should notify the Account Manager and/or Branch Manager of the event as soon as practicable.

Absent aggravating circumstances, no further investigation is necessary beyond the submission of the Use of Force Incident Report to the Legal Services Group and relevant Regional President. In determining whether an investigation is necessary based upon aggravating circumstances, local management should consider the nature and level of force applied, the extent of any injuries, and the level of adherence to policy. The Supervisor, Account Manager, Branch Manager, and, if appropriate, the Regional President should contact the Legal Services Group for guidance in such cases when formulating a recommendation for follow-up investigation.

Exhibit 13

excerpts from Calvin Brown deposition

2/2/2018 4:32:00 PM Charle Dahlel District Clerk

Harris County
Envelope No: 22268551
By: GUTIERREZ JANEL E
Filed: 2/2/2018 4:32:00 PM

CAUSE NO. 2016-20704

ANKI JOHNSON (HEIR OF) IN THE DISTRICT COURT

ROBERT JOHNSON),

Plaintiff,)

VS. HARRIS COUNTY TEXAS

HEB GROCERY COMPANY, LP,)

Defendant.) 113TH JUDICIAL DISTRICT

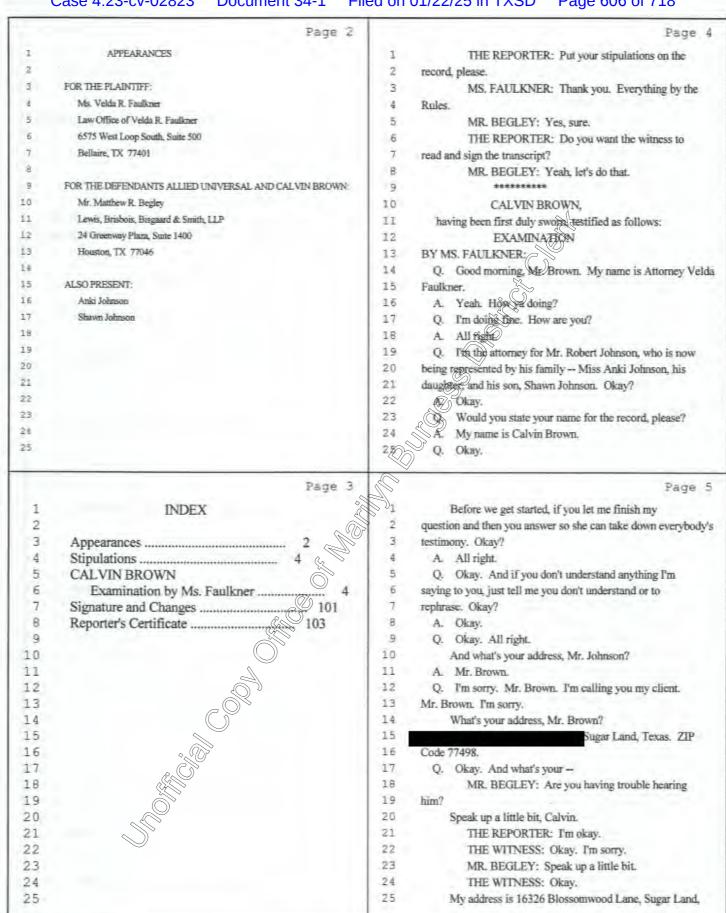
ORAL DEPOSITION

CALVIN BROWN

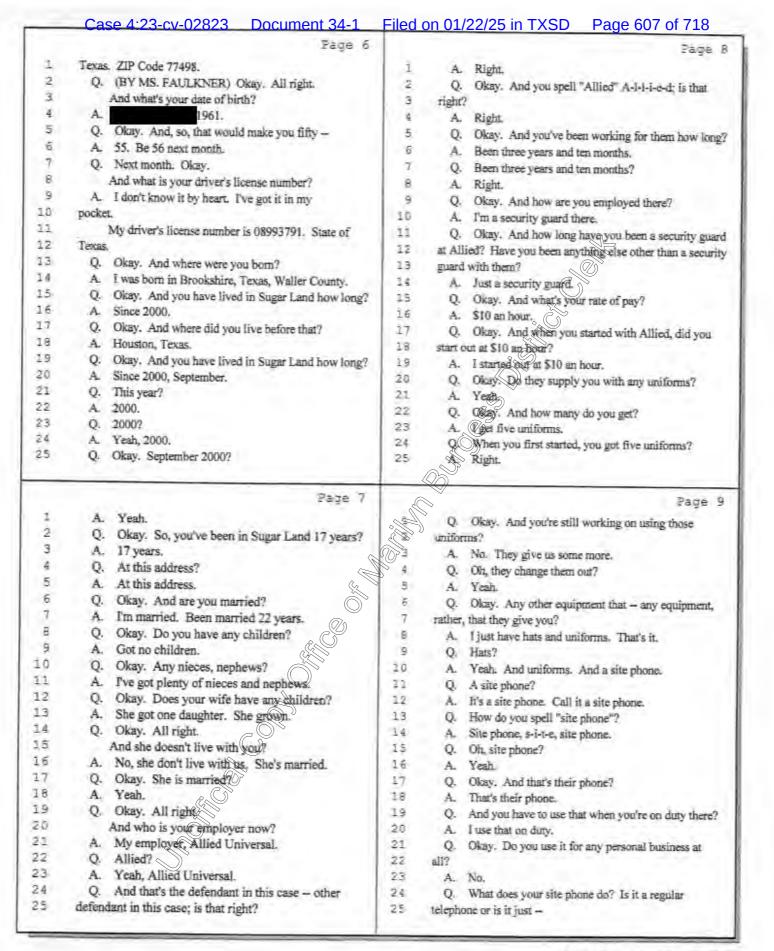
OCTOBER 1, 2017

ORAL DEPOSITION OF COVIN BROWN, produced as a witness at the instance of the Plaintiff, and duly sworn, was taken in the above-styled and numbered cause on October 11, 2017, from 10:17 a.m. to 11:44 a.m., before Robin Potts, CSR in and for the State of Texas, reported by machine shorthand, at the offices of Lewis, Brisbois, Bisgaard & Smith, LLP, 24 Greenway Plaza, Suite 1400, Houston, Texas, pursuant to the Texas Coles of Civil Procedure and the provisions stated on the second or attached hereto.

NMA Compressed Franscript



2 (Pages 2 to 5)



3 (Pages 6 to 9)

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|---|--|---|--|
| | Page 10 | | Page 1 |
| 1 | A. It's a regular telephone. It reports things. I | 1 | he been your supervisor? |
| 2 | always have to do daily reports. | 2 | A. He's been my supervisor for a couple months. |
| 3 | Q. Okay. And is it only for Allied's use, you as | 3 | Q. Okay. Who was your - |
| 4 | an - | 4 | A. Since last year. Since last year he's been my |
| 5 | A. It's - | 5 | supervisor. Since last year September. |
| 6 | Q. Hold on. Let me finish my question. | 6 | Q. Okay. And prior to Mr. – is it Mr.? |
| 7 | A. Okay. | 7 | A. Mr. |
| В | Is it to be used only by you as an employee of | 8 | Q. Who was your supervisor before then? |
| 9 | Allied? | 9 | A. Like, Supervisor Hall was one. |
| 10 | That's it, as an employee of Allied. | 10 | Q. Hall? |
| 11 | Q. Okay. And does it make phone calls? | 11 | A. H-a-I-L |
| 12 | It don't make phone calls. | 12 | Q. Okay. And is that a male or a female? |
| 13 | Q. Okay. | 13 | A. That's a male |
| 14 | Unless the supervisor call you. That's it. | 14 | Q. Okay. And how long was he your supervisor? |
| 15 | Q. On that site phone? | 15 | He was my supervisor since 2015. |
| 16 | A. Right. | 16 | Q. And what date in 2015? |
| 17 | Q. Okay. And you can talk on that phone; right? | 17 | A. I can't remember. Maybe January 2015. |
| 18 | I can talk on the phone. | 18 | Q. Oka And do you know where Mr. Hall is now |
| 19 | Q. Okay. And you can call your supervisor too? | 19 | A. Adon't know where he is now. He's no longer a |
| 20 | Call my supervisor. | 2.0 | supervisor. |
| 21 | Q. Okay. And is your supervisor on site where you are | 21 | Q De's no longer a supervisor? |
| 22 | usually? | 22 | No, he's not. I don't know why he's not with the |
| 23 | A. No. He comes to see me. | 23 | company no more. |
| 24 | Q. Okay. | 24 | Oh, he's not with Allied anymore? |
| 25 | A. He got other posts to go to. | | ♥ A. No. |
| Т | Page 11 | | Page 1 |
| 1 | Q. Okay. And he will come if he needs something from | | Q. Okay. Did you know Mr. Hall before you started |
| 2 | you or if you called him? | 2 | working for Allied? |
| 3 | A. Right, he'll come. | 3 | A. No. 1 just knew him when he became a supervisor |
| 4 | Q. Okay. And you were first do you remember the | 4 | Q. Okay. All right. |
| 5 | date in which you were hired? | 5 | And where did you work before you started working |
| 6 | A. Yeah. It was about April the 4th, 2014. | 6 | with Allied? |
| 7 | Q. Okay. And you said you were hired as a security | 7 | A. Okay, I worked – Stewart & Stevenson/BAE, I |
| 8 | guard at the time. And you're still at a security grand | 18 | worked there 18 years. |
| 54 | ((2) | | |
| 9 | level; is that correct? | 9 | Q. Stewart & Stevenson? |
| 9 10 | A. Right. | 9 10 | |
| 9 10 11 | A. Right. Q. Okay, And what's the name of your current | 9 10 11 | Q. Stewart & Stevenson? A. Stewart & Stevenson. Q. Okay. |
| 9 10 11 12 | A. Right. Q. Okay, And what's the name of your current supervisor? | 9 10 11 12 | Q. Stewart & Stevenson? A. Stewart & Stevenson. Q. Okay. A. Then it went to BAE. |
| 9 10 11 12 13 | A. Right. Q. Okay, And what's the name of your current supervisor? A. Supervisor Hardy. | 9 10 11 12 13 | Q. Stewart & Stevenson? A. Stewart & Stevenson. Q. Okay. A. Then it went to BAE. Q. Okay. You went to BAE? |
| 9 10 11 12 13 | A. Right. Q. Okay, And what's the name of your current supervisor? A. Supervisor Hardy. Q. Hardy? | 9 10 11 12 13 14 | Q. Stewart & Stevenson? A. Stewart & Stevenson. Q. Okay. A. Then it went to BAE. Q. Okay. You went to BAE? A. No. The company switched to BAE. |
| 9 10 11 12 13 14 15 | A. Right. Q. Okay, And what's the name of your current supervisor? A. Supervisor Hardy. Q. Hardy? A. Yeah, H-a-r-d-y. | 9 10 11 12 13 14 15 | Q. Stewart & Stevenson? A. Stewart & Stevenson. Q. Okay. A. Then it went to BAE. Q. Okay. You went to BAE? A. No. The company switched to BAE. Q. Okay. |
| 9 10 11 12 13 14 15 16 | A. Right. Q. Okay. And what's the name of your current supervisor? A. Supervisor Hardy. Q. Hardy? A. Yeah, H-a-r-d-y. Q. H-a-r-d-y? | 9 10 11 12 13 14 15 16 | Q. Stewart & Stevenson? A. Stewart & Stevenson. Q. Okay. A. Then it went to BAE. Q. Okay. You went to BAE? A. No. The company switched to BAE. Q. Okay. A. Switched names. |
| 9 10 11 12 13 14 15 16 17 | A. Right. Q. Okay, And what's the name of your current supervisor? A. Supervisor Hardy. Q. Hardy? A. Yeah, H-a-r-d-y. Q. H-a-r-d-y? A. H-a-r-d-y. | 9 10 11 12 13 14 15 16 17 | Q. Stewart & Stevenson? A. Stewart & Stevenson. Q. Okay. A. Then it went to BAE. Q. Okay. You went to BAE? A. No. The company switched to BAE. Q. Okay. A. Switched names. Q. Okay. And what did you do over there at |
| 9 10 11 12 13 14 15 16 17 | A. Right. Q. Okay, And what's the name of your current supervisor? A. Supervisor Hardy. Q. Hardy? A. Yeah, H-a-r-d-y. Q. H-a-r-d-y? A. H-a-r-d-y. Q. Okay, H-a-r-d-y. | 9 10 11 12 13 14 15 16 17 18 | Q. Stewart & Stevenson? A. Stewart & Stevenson. Q. Okay. A. Then it went to BAE. Q. Okay. You went to BAE? A. No. The company switched to BAE. Q. Okay. A. Switched names. Q. Okay. And what did you do over there at Stewart & |
| 9 10 11 12 13 14 15 16 17 18 | A. Right. Q. Okay, And what's the name of your current supervisor? A. Supervisor Hardy. Q. Hardy? A. Yeah, H-a-r-d-y. Q. H-a-r-d-y. Q. Okay, H-a-r-d-y. A. Right. | 9 10 11 12 13 14 15 16 17 18 19 | Q. Stewart & Stevenson? A. Stewart & Stevenson. Q. Okay. A. Then it went to BAE. Q. Okay. You went to BAE? A. No. The company switched to BAE. Q. Okay. A. Switched names. Q. Okay. And what did you do over there at Stewart & A. I worked on the assembly line. |
| 9 10 11 12 13 14 15 16 17 18 19 20 | A. Right. Q. Okay, And what's the name of your current supervisor? A. Supervisor Hardy. Q. Hardy? A. Yeah, H-a-r-d-y. Q. H-a-r-d-y? A. H-a-r-d-y. Q. Okay, H-a-r-d-y. A. Right. Q. And that Ass first name or last name? | 9 10 11 12 13 14 15 16 17 18 19 20 | Q. Stewart & Stevenson? A. Stewart & Stevenson. Q. Okay. A. Then it went to BAE. Q. Okay. You went to BAE? A. No. The company switched to BAE. Q. Okay. A. Switched names. Q. Okay. And what did you do over there at Stewart & A. I worked on the assembly line. Q. Let me finish my question. |
| 9 10 11 12 13 14 15 16 17 18 19 20 21 | A. Right. Q. Okay, And what's the name of your current supervisor? A. Supervisor Hardy. Q. Hardy? A. Yeah, H-a-r-d-y. Q. H-a-r-d-y? A. H-a-r-d-y. Q. Okay, H-a-r-d-y. A. Right. Q. And that has first name or last name? A. That's his last name. | 9 10 11 12 13 14 15 16 17 18 19 20 21 | Q. Stewart & Stevenson? A. Stewart & Stevenson. Q. Okay. A. Then it went to BAE. Q. Okay. You went to BAE? A. No. The company switched to BAE. Q. Okay. A. Switched names. Q. Okay. And what did you do over there at Stewart & A. I worked on the assembly line. Q. Let me finish my question. A. Okay. |
| 9 10 11 12 13 14 15 16 17 18 19 20 21 22 | A. Right. Q. Okay, And what's the name of our current supervisor? A. Supervisor Hardy. Q. Hardy? A. Yeah, H-a-r-d-y. Q. H-a-r-d-y? A. H-a-r-d-y. Q. Okay, H-a-r-d-y. A. Right. Q. And that's first name or last name? A. That's his last name. Q. Do you know his first name? | 9 10 11 12 13 14 15 16 17 18 19 20 21 | Q. Stewart & Stevenson? A. Stewart & Stevenson. Q. Okay. A. Then it went to BAE. Q. Okay. You went to BAE? A. No. The company switched to BAE. Q. Okay. A. Switched names. Q. Okay. And what did you do over there at Stewart & A. I worked on the assembly line. Q. Let me finish my question. A. Okay. MR. BEGLEY: Slow down. Let her finish the |
| 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 | A. Right. Q. Okay, And what's the name of your current supervisor? A. Supervisor Hardy. Q. Hardy? A. Yeah, H-a-r-d-y. Q. H-a-r-d-y? A. H-a-r-d-y. Q. Okay, H-a-r-d-y. A. Right. Q. And that's his first name or last name? A. That's his last name. Q. Do you know his first name? A. I just say Supervisor Hardy. He never gave the | 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 | Q. Stewart & Stevenson? A. Stewart & Stevenson. Q. Okay. A. Then it went to BAE. Q. Okay. You went to BAE? A. No. The company switched to BAE. Q. Okay. A. Switched names. Q. Okay. And what did you do over there at Stewart & A. I worked on the assembly line. Q. Let me finish my question. A. Okay. MR. BEGLEY: Slow down. Let her finish the question. |
| 9 10 11 12 13 14 15 16 17 18 19 20 21 22 | A. Right. Q. Okay, And what's the name of our current supervisor? A. Supervisor Hardy. Q. Hardy? A. Yeah, H-a-r-d-y. Q. H-a-r-d-y? A. H-a-r-d-y. Q. Okay, H-a-r-d-y. A. Right. Q. And that's first name or last name? A. That's his last name. Q. Do you know his first name? | 9 10 11 12 13 14 15 16 17 18 19 20 21 | Q. Stewart & Stevenson? A. Stewart & Stevenson. Q. Okay. A. Then it went to BAE. Q. Okay. You went to BAE? A. No. The company switched to BAE. Q. Okay. A. Switched names. Q. Okay. And what did you do over there at Stewart & A. I worked on the assembly line. Q. Let me finish my question. A. Okay. MR. BEGLEY: Slow down. Let her finish the |

4 (Pages 10 to 13)

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|--|--|--|---|---------|
| | Page (| 14 | Pag | e 16 |
| 1 | answer the question. | 1 | A. I was working at H-E-B Kirkwood. | |
| 2 | MS. FAULKNER: Thanks, | 2 | Q. Okay, H-E-B? | |
| 3 | Q. (BY MS. FAULKNER) Before you worked at Stewar | E 35.7 | A. Yeah, H-E-B Kirkwood. | |
| 4 | Stevenson, where did you work before then? | 4 | Q. Kirkwood. Okay, | |
| 5 | A. I was at Houston West Auto Truck Stop. | 5 | Do you know the address there? | |
| 6 | Q. Okay. And what was your position at Stewart & | 6 | A. I can't remember the address. | |
| 7 | Stevenson? | 7 | Q. Okay. And what time did you report to work | there? |
| 8 | A. I was on the assembly line. | 8 | A. 4:00 o'clock, | 30,742 |
| 9 | Q. Okay. What did you do there? | 9 | Q. And what time did you get off? | |
| 10 | A. We fixed Army trucks. | 10 | A. 12:00 o'clock midnight. | |
| 11 | Q. Armored? | 11 | Q. Okay. And were you working how long die | t von |
| 12 | A. Army trucks. U.S. Army trucks. | 12 | work that shift? | ,,04 |
| 13 | Q. Oh, Army trucks. Okay. | 13 | A. Still work that shift. | |
| 14 | And how long did you work there? | 14 | Q. You still work that shot? | |
| 15 | A. 18 years. | 15 | A. Right. | |
| 16 | Q. And were you laid off? | 16 | 3/4 | A 182 4 |
| 17 | A. Got laid off. | 17 | | |
| 18 | Q. Okay. And after Stewart & Stevenson/BAE, that's | 18 | Protection [sic], which is now Allied Universal, did y | ou |
| 19 | when you were hired over at Allied Universal? | 19 | start out working 200 p.m. to 12:00 midnight? A. Different post. | |
| 20 | A. Allied. Been laid off. | 20 | // *** | |
| 21 | Q. And was it Allied Universal — | 21 | | |
| 22 | | 22 | | |
| 23 | A. It was Universal Protection. | 23 | Q. Degrent address you mean? | |
| 24 | Q. Hold on. Let me finish. | 24 | A. Wah, different post. | |
| 25 | Okay. O. The name of the company, was it Allied Universal. | 25 | Q Okay. You called it a post, but it was a different loss on? | ent |
| | Q. The name of the company, was it Allied Universal | - 1 | | |
| | Page 1 | 15 | Page | e 17 |
| 1 | when you were first hired? | | A. Different location. | |
| 2 | A. No. | | Q. Okay. And how long had you been working the l | H-E-B |
| 3 | Q. What was the name of the company? | (NO) 3 | on Kirkwood? | |
| 4 | A. Universal Protection. | | A Township of Widows (1977) and the state of the | re. |
| - | Q. Universal? | | A. I started at Kirkwood November – the week before | |
| 5 | | X 1 3 | | |
| 6 | A. Yeah, Universal Protection. | | Thanksgiving, a Saturday, November the 14th. | ** |
| | Control of the contro | 2) | | ., |
| 6 | Q. Okay. And that's a security company of | 2) | Thanksgiving, a Saturday, November the 14th. Q. November 14? A. November 14. | ., |
| 6 | Q. Okay. And that's a security company of A. Security company. | 0? 7 | Thanksgiving, a Saturday, November the 14th. Q. November 14? | |
| 6 7 8 9 | Q. Okay. And that's a security company of A. Security company. Q. Okay. That's who you hired on water? | o? 7 | Thanksgiving, a Saturday, November the 14th. Q. November 14? A. November 14. Q. And that was two thousand and — A. 14. | |
| 6 7 8 9 | Q. Okay. And that's a security company. A. Security company. Q. Okay. That's who you hired on cander? A. Right. | 0? 7 8 9 | Thanksgiving, a Saturday, November the 14th. Q. November 14? A. November 14. Q. And that was two thousand and — A. 14. Q. 2014. Okay. | |
| 6 7 8 9 10 | Q. Okay. And that's a security company too. A. Security company. Q. Okay. That's who you hired on under? A. Right. Q. Okay. And are you an employee there? | 0? 7 8 9 10 | Thanksgiving, a Saturday, November the 14th. Q. November 14? A. November 14. Q. And that was two thousand and — A. 14. Q. 2014. Okay. And when you started there, you started there at | |
| 6 7 8 | Q. Okay. And that's a security company to A. Security company. Q. Okay. That's who you hired on under? A. Right. Q. Okay. And are you an employee there? A. Huh? | 7 8 9 10 11 12 | Thanksgiving, a Saturday, November the 14th. Q. November 14? A. November 14. Q. And that was two thousand and — A. 14. Q. 2014. Okay. And when you started there, you started there at 4:00 p.m. to 12:00 midnight? | |
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| 6 7 8 9 10 11 12 13 14 15 16 | Q. Okay. And that's a security company to A. Security company. Q. Okay. That's who you hired on under? A. Right. Q. Okay. And are you an employee there? A. Huh? Q. Are you an employee there? A. Right. Q. And you're not a contractor worker? A. No contractor worker? | 7 8 9 10 11 12 13 14 15 16 | Thanksgiving, a Saturday, November the 14th. Q. November 14? A. November 14. Q. And that was two thousand and — A. 14. Q. 2014. Okay. And when you started there, you started there at 4:00 p.m. to 12:00 midnight? A. Right. Q. Okay. And you were given only the site phone as your equipment? A. Right. | |
| 6 7 8 9 10 11 12 13 14 15 16 17 | Q. Okay. And that's a security company to A. Security company. Q. Okay. That's who you hired on under? A. Right. Q. Okay. And are you an employee there? A. Huh? Q. Are you an employee there? A. Right. Q. And you're not a contractor worker? A. No contractor worker. Q. They pay you a salary or by the hour? | 0? 7 8 9 10 11 12 13 14 15 16 17 | Thanksgiving, a Saturday, November the 14th. Q. November 14. Q. And that was two thousand and — A. 14. Q. 2014. Okay. And when you started there, you started there at 4:00 p.m. to 12:00 midnight? A. Right. Q. Okay. And you were given only the site phone as your equipment? A. Right. Q. Okay. And does Allied — or did Allied give you | |
| 6 7 8 9 10 11 12 13 14 15 16 17 18 | Q. Okay. And that's a security company of A. Security company. Q. Okay. That's who you hired on ander? A. Right. Q. Okay. And are you an employee there? A. Huh? Q. Are you an employee there? A. Right. Q. And you're not a compactor worker? A. No contractor worker. Q. They pay you a salary or by the hour? A. By the hour. | 0? 7 8 9 10 11 22 13 14 15 16 17 | Thanksgiving, a Saturday, November the 14th. Q. November 14? A. November 14. Q. And that was two thousand and — A. 14. Q. 2014. Okay. And when you started there, you started there at 4:00 p.m. to 12:00 midnight? A. Right. Q. Okay. And you were given only the site phone as your equipment? A. Right. Q. Okay. And does Allied — or did Allied give you any handcuffs? | |
| 6 7 8 9 10 11 12 13 14 15 16 17 18 | Q. Okay. And that's a security company of A. Security company. Q. Okay. That's who you hired on taster? A. Right. Q. Okay. And are you an employee there? A. Huh? Q. Are you an employee there? A. Right. Q. And you're not a contractor worker? A. No contractor worker. Q. They pay you a salary or by the hour? A. By the hour. Q. Okay. And they offer you benefits? | 0? 7 8 9 10 11 12 13 14 15 16 17 18 | Thanksgiving, a Saturday, November the 14th. Q. November 14? A. November 14. Q. And that was two thousand and — A. 14. Q. 2014. Okay. And when you started there, you started there at 4:00 p.m. to 12:00 midnight? A. Right. Q. Okay. And you were given only the site phone as your equipment? A. Right. Q. Okay. And does Allied — or did Allied give you any handcuffs? A. I'm not commissioned. | |
| 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 | Q. Okay. And that's a security company of A. Security company. Q. Okay. That's who you hired on castler? A. Right. Q. Okay. And are you an employee there? A. Huh? Q. Are you an employee there? A. Right. Q. And you're not a contractor worker? A. No contractor worker. Q. They pay you a salary or by the hour? A. By the hour. Q. Okay. And they offer you benefits? A. Yeah. | 0? 7 8 9 10 11 12 13 14 15 16 17 18 19 20 | Thanksgiving, a Saturday, November the 14th. Q. November 14? A. November 14. Q. And that was two thousand and — A. 14. Q. 2014. Okay. And when you started there, you started there at 4:00 p.m. to 12:00 midnight? A. Right. Q. Okay. And you were given only the site phone as your equipment? A. Right. Q. Okay. And does Allied — or did Allied give you any handcuffs? A. Tm not commissioned. Q. Okay. Describe for the jury what is a commission | |
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| 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 | Q. Okay. And that's a security company of A. Security company. Q. Okay. That's who you hired on under? A. Right. Q. Okay. And are you an employee there? A. Huh? Q. Are you an employee there? A. Right. Q. And you're not a consactor worker? A. No contractor worker. Q. They pay you a salary or by the hour? A. By the hour. Q. Okay. And they offer you benefits? A. Yeah. Q. Okay. All right. And left move forward to — do you recall | 0? 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 | Thanksgiving, a Saturday, November the 14th. Q. November 14. Q. And that was two thousand and — A. 14. Q. 2014. Okay. And when you started there, you started there at 4:00 p.m. to 12:00 midnight? A. Right. Q. Okay. And you were given only the site phone as your equipment? A. Right. Q. Okay. And does Allied — or did Allied give you any handcuffs? A. Tm not commissioned. Q. Okay. Describe for the jury what is a commission officer? A. A commissioned officer, he carries a gun. He | |
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| 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 | Q. Okay. And that's a security company of A. Security company. Q. Okay. That's who you hired on under? A. Right. Q. Okay. And are you an employee there? A. Huh? Q. Are you an employee there? A. Right. Q. And you're not a consactor worker? A. No contractor worker. Q. They pay you a salary or by the hour? A. By the hour. Q. Okay. And they offer you benefits? A. Yeah. Q. Okay. All right. And left move forward to — do you recall | 0? 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 | Thanksgiving, a Saturday, November the 14th. Q. November 14. Q. And that was two thousand and — A. 14. Q. 2014. Okay. And when you started there, you started there at 4:00 p.m. to 12:00 midnight? A. Right. Q. Okay. And you were given only the site phone as your equipment? A. Right. Q. Okay. And does Allied — or did Allied give you any handcuffs? A. Tm not commissioned. Q. Okay. Describe for the jury what is a commission officer? A. A commissioned officer, he carries a gun. He | ned |

5 (Pages 14 to 17)

| | | Page 18 | | | Page 2 |
|--|---|--|---|--|--|
| T. | Δ | Right. | 1 | A. Y | eah. I met Tammy that day when the incident |
| 2 | | Did you have any, like, twist ties or anything? | 2 | happened | |
| 3 | Q. | None of that. | 3 | | o, no, no, when you got to work. |
| | A. | | 4 | A. N | AND THE RESIDENCE OF THE PROPERTY OF THE PROPE |
| 6 | Q. | Okay. You only had your site phone? | | | |
| 5 | | Right. | .5 | | kay. So, you didn't see her anytime before |
| 6 | Q. | Okay. Do you have any arrest authority? | 6 | A. N | |
| 7 | A. | No. | 7 | | the incident happened? |
| 8 | Q. | Okay. Do you have any authority to detain anyone? | 8 | A N | |
| 9 | 500 | No. | 9 | | kay. And did you see any other H-E-B employees |
| 10 | Q. | Okay. And when you arrived to work that day on the | 10 | | in management other than Jesse that day? |
| | | ell the jury who you reported to: | 11 | | depend. Sometimes I don't see him all the time. |
| 12 | A. | I report to my MIC. | 12 | I go to the | e desk and I ask them who the manager. Then that |
| 13 | Q. | And tell the jury what's a MIC? | 13 | it. | |
| 14 | A. | A MIC is a manager at H-E-B. | 1.4 | Q. O | kay. So, Jessey is the only manager you knew of |
| 15 | Q. | Andrew Country Control of the Country of the Countr | 15 | on that da | sy, on the 19th? |
| 16 | Α. | Right. | 16 | A. R | ight. |
| 17 | Q. | Okay. Who was that? | 17 | Q. O | kay. An you reported to him - |
| 18 | A. | Okay. The manager in charge was Tammy, I think. | 18 | | |
| 19 I | But I h | and to report to I always report to the supervisor | 19 | | because he was the one that was closing that |
| 20 9 | who cl | ose, Jesse. The Spanish guy, Jesse, close. | 20 | day? | |
| 21 | Q. | And do you know if he spells his name J-e-s-s-e? | 21 | $(\mathcal{O}_{\mathcal{I}})$ | eht. |
| 22 | A. | | 22 | | |
| 23 | Q. | Do you know Jesse's last name? | 23 | | MR. BEGLEY: Slow down. |
| 24 | A. | I don't know his last name. | 24 | | BY MS. FAULKNER) If I'm talking too fast, let m |
| 25 | Q. | Okay. And Tammy, T-a-m-m-i or T-a-m-m-y? | 200 | | of 1910. I TO CAST CAST OF THE MANINE WAS ASSESSED. |
| | | | (/</td <td>Malano 111</td> <td></td> | Malano 111 | |
| - | - | Page 19 | |) Mails 411 | Page 7 |
| 1 | A | Page 19 | | | |
| 1 7 | A. 0 | T-a-m-m-y. | | A. If | s okay. |
| 2 | Q. | T-a-m-m-y. Okay. And she's a lady? | | A. Iff Q. O | s okay. kay. And Jesse was the manager in charge to |
| 3 | Q. A. | T-a-m-m-y. Okay. And she's a lady? She's a lady. She's — | | A. If Q. O close; is t | s okay. kay. And Jesse was the manager in charge to hat correct? |
| 2 3 4 | Q. A. Q. | T-a-m-m-y. Okay. And she's a lady? She's a lady. She's — Hold on. Is she an employee of H-E-B or Allied? | | A. If Q. O close; is t A. R | s okay. kay. And Jesse was the manager in charge to hat correct? ight. |
| 2 3 | Q. A. Q. A. | T-a-m-m-y. Okay. And she's a lady? She's a lady. She's — Hold on. Is she an employee of H-E-B or Allied? H-E-B. | | A. If Q. O close; is t A. R Q. O | s okay. kay. And Jesse was the manager in charge to hat correct? |
| 3 4 5 6 | Q. A. Q. A. Q. | T-a-m-m-y. Okay. And she's a lady? She's a lady. She's — Hold on. Is she an employee of H-E-B or Allied? H-E-B. Okay. And you reported to her — | 1 2 3 4 5 6 | A. If Q. O close; is t A. R Q. O day? | s okay. kay. And Jesse was the manager in charge to that correct? ight. kay. And what did Jesse tell you to do on that |
| 2 3 4 5 6 7 | Q. A. Q. A. Q. A. | T-a-m-m-y. Okay. And she's a lady? She's a lady. She's — Hold on. Is she an employee of H-E-B or Allied? H-E-B. Okay. And you reported to her — Right. | 2 3 + 5 6 7 | A. Ir Q. O close; is t A. R Q. O day? A. W | 's okay. kay. And Jesse was the manager in charge to hat correct? ight. kay. And what did Jesse tell you to do on that /ell, another manager called me, Mike. |
| 2 3 4 5 6 7 8 | Q. A. Q. A. Q. A. Q. | T-a-m-m-y. Okay. And she's a lady? She's a lady. She's — Hold on. Is she an employee of H-E-B or Alhed? H-E-B. Okay. And you reported to her — Right. — to tell her that you arrived to work. | 1 2 3 ± 5 6 7 8 | A. Iff Q. O close; is t A. R Q. O day? A. W Q. M | is okay. kay. And Jesse was the manager in charge to that correct? ight. kay. And what did Jesse tell you to do on that fell, another manager called me, Mike. like? |
| 2 3 4 5 6 7 8 9 | Q. A. Q. A. Q. A. Q. A. | T-a-m-m-y. Okay. And she's a lady? She's a lady. She's — Hold on. Is she an employee of H-E-B or Allied? H-E-B. Okay. And you reported to her — Right. — to tell her that you arrived to work. I reported to Jesse that day. I de report to the | 1 2 3 ± 5 6 7 8 9 | A. Iff Q. O close; is t A. R Q. O day? A. W Q. M A. Y | is okay. kay. And Jesse was the manager in charge to that correct? ight. kay. And what did Jesse tell you to do on that /ell, another manager called me, Mike. like? eah. |
| 2 3 4 5 6 7 8 9 | Q. A. Q. A. Q. A. MIC | T-a-m-m-y. Okay. And she's a lady? She's a lady. She's — Hold on. Is she an employee of H-E-B or Allred? H-E-B. Okay. And you reported to her — Right. — to tell her that you arrived to work I reported to Jesse that day. I de report to the that's going to close. | 1 2 3 ± 5 6 7 8 9 10 | A. Iff Q. O close; is t A. R Q. O day? A. W Q. M A. Y Q. A | is okay. kay. And Jesse was the manager in charge to hat correct? ight. kay. And what did Jesse tell you to do on that vell, another manager called me, Mike. like? ieah. nd what's Mike's last name? |
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| 2 3 4 5 6 7 8 9 10 | Q. A. Q. A. Q. A. MIC Q. A. | T-a-m-m-y. Okay. And she's a lady? She's a lady. She's — Hold on. Is she an employee of H-E-B or Alliad? H-E-B. Okay. And you reported to her — Right. — to tell her that you arrived to work. I reported to Jesse that day. I develor to the that's going to close. Okay. So, Jesse was the — Closing MIC. | 1 2 3 4 5 6 7 8 9 10 11 12 | A. Iff Q. O close; is t A. R Q. O day? A. W Q. M A. Y Q. A A. I Q. H | is okay. kay. And Jesse was the manager in charge to hat correct? ight. kay. And what did Jesse tell you to do on that lell, another manager called me, Mike. like? ieah. nd what's Mike's last name? can't think. He's a Spanish guy too, Mike. ie was a manager there at H-E-B? |
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| 2 3 4 5 6 7 8 9 10 11 12 13 14 | Q. A. Q. A. Q. A. MIC Q. A. Q. | T-a-m-m-y. Okay. And she's a lady? She's a lady. She's — Hold on. Is she an employee of H-E-B or Alhed? H-E-B. Okay. And you reported to her — Right. — to tell her that you arrived to work I reported to Jesse that day. I de report to the that's going to close. Okay. So, Jesse was the — Closing MIC. Closing MIC? Right. And Tammy was what? | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 | A. Iff Q. O close; is t A. R Q. O day? A. W Q. M A. Y Q. A A. I Q. H A. M Q. O there? | is okay. kay. And Jesse was the manager in charge to that correct? ight. kay. And what did Jesse tell you to do on that /ell, another manager called me, Mike. like? feah. nd what's Mike's last name? can't think. He's a Spanish guy too, Mike. the was a manager there at H-E-B? lanager. kay. And what did you tell Mike when you arrive |
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| 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 | Q. A. | T-a-m-m-y. Okay. And she's a lady? She's a lady. She's — Hold on. Is she an employee of H-E-B or Alliad? H-E-B. Okay. And you reported to her — Right. — to tell her that you arrived to work. I reported to Jesse that day. I do report to the that's going to close. Okay. So, Jesse was the — Closing MIC. Closing MIC? Right. And Tammy was what? She's the top manager, store director. The store director. Okay. So, did you report to her and let her know you | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 | A. Iff Q. O close; is t A. R Q. O day? A. W Q. M A. Y Q. A A. I Q. H A. M Q. O there? A. N Q. M | is okay. kay. And Jesse was the manager in charge to that correct? ight. kay. And what did Jesse tell you to do on that vell, another manager called me, Mike. fike? eah. nd what's Mike's last name? can't think. He's a Spanish guy too, Mike. e was a manager there at H-E-B? lanager. kay. And what did you tell Mike when you arrive |
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| 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 | Q. A. A. A. Q. A. A. A. Q. A. | T-a-m-m-y. Okay. And she's a lady? She's a lady. She's — Hold on. Is she an employee of H-E-B or Allied? H-E-B. Okay. And you reported to her — Right. — to tell her that you arrived to work. I reported to Jesse that day. I designer to the that's going to close. Okay. So, Jesse was the — Closing MIC. Closing MIC? Right. And Tammy was what? She's the top manager, store director. The store director. Okay. | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 | A. If Q. O close; is t A. R Q. O day? A. W. Q. M. A. Y. Q. A. A. I. Q. H. A. M. Q. O there? A. N. Q. M. A. Y. Q. M. A. Y. Q. M. A. Y. Q. O. | is okay. kay. And Jesse was the manager in charge to hat correct? ight. kay. And what did Jesse tell you to do on that lell, another manager called me, Mike. like? eah. nd what's Mike's last name? can't think. He's a Spanish guy too, Mike. le was a manager there at H-E-B? lanager. kay. And what did you tell Mike when you arrive lo. He called me. like called you? eah. |
| 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 | Q. A. Q. Trepor A. | T-a-m-m-y. Okay. And she's a lady? She's a lady. She's — Hold on. Is she an employee of H-E-B or Alhed? H-E-B. Okay. And you reported to her — Right. — to tell her that you arrived to work. I reported to Jesse that day. I de report to the that's going to close. Okay. So, Jesse was the — Closing MIC. Closing MIC? Right. And Tammy was what? She's the top manager, store director. The store director. Okay. So, did you report to her and let her know you ted to work that day? I don't have to. Once I report to the one that | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 | A. If Q. O close; is t A. R Q. O day? A. W. Q. M. A. Y. Q. A. A. I. Q. H. A. M. Q. O there? A. N. Q. M. A. Y. Q. M. A. Y. Q. M. A. Y. Q. O A. Y. Y. Q. O A. Y. Q. Q | is okay. kay. And Jesse was the manager in charge to hat correct? ight. kay. And what did Jesse tell you to do on that /ell, another manager called me, Mike. like? eah. nd what's Mike's last name? can't think. He's a Spanish guy too, Mike. e was a manager there at H-E-B? lanager. kay. And what did you tell Mike when you arrive fo. He called me. like called you? eah. kay. He called you before this incident occurred? |
| 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 | Q. A. Q. Trepor A. | T-a-m-m-y. Okay. And she's a lady? She's a lady. She's — Hold on. Is she an employee of H-E-B or alhed? H-E-B. Okay. And you reported to her — Right. — to tell her that you arrived to work. I reported to Jesse that day. I de report to the that's going to close. Okay. So, Jesse was the — Closing MIC. Closing MIC? Right. And Tammy was what? She's the top manager, store director. The store director. Okay. So, did you report to her and let her know you ted to work and day? | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 | A. Iff Q. O close; is t A. R Q. O day? A. W Q. M A. Y Q. A A. I Q. H A. M Q. O there? A. N Q. M A. Y Q. A A. Y Q. A A. Y Q. A A. I Q. H A. M Q. O there? A. N Q. M A. Y Q. O A. Y He called | is okay. kay. And Jesse was the manager in charge to hat correct? ight. kay. And what did Jesse tell you to do on that /ell, another manager called me, Mike. fike? eah. nd what's Mike's last name? can't think. He's a Spanish guy too, Mike. e was a manager there at H-E-B? lanager. kay. And what did you tell Mike when you arrive fo. He called me. fike called you? eah. kay. He called you before this incident occurred? eah, he called me before the incident occurred. |
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6 (Pages 18 to 21)

| Page 22 The see somebody on the lot. Q. Say it again. A. He would call me if he see something wrong on the st. Q. Okay. In the parking lot? A. Right. Q. Okay. Did Mike call you for any other reason other an Mr. Johnson? | 1 2 3 4 5 6 | Q. | Page 24 |
|---|---|---|---|
| Q. Say it again. A. He would call me if he see something wrong on the st. Q. Okay. In the parking lot? A. Right. Q. Okay. Did Mike call you for any other reason other. | 2 3 4 5 6 | | rage 44 |
| A. He would call me if he see something wrong on the st. Q. Okay. In the parking lot? A. Right. Q. Okay. Did Mike call you for any other reason other. | 3 4 5 | 100 | Sitting on what, a chair? |
| Q. Okay. In the parking lot? A. Right. Q. Okay. Did Mike call you for any other reason other. | 4 5 6 | A. | Yeah. |
| Q. Okay. In the parking lot? A. Right. Q. Okay. Did Mike call you for any other reason other. | 5 | Q. | A chair where? |
| Right. Okay. Did Mike call you for any other reason other. | 6 | A. | The front of the store. |
| Q. Okay. Did Mike call you for any other reason other | 11.5 | Q. | In front of the store? |
| | 7 | A | Right. |
| an Mr. Johnson? | / | Q. | |
| and a serie a will have been a | 8 | store! | ooks like. |
| A. He just called me for Mr. Johnson. | 9 | A | The front of the store is like a display place. |
| Q. Okay. Do you know what time Mike called you? | 10 | | have chairs in front sometimes. And those chairs would |
| A. Maybe about 5:00 o'clock. | 11 | | hey're for customers, though, They're not for people |
| Q. Okay. In the afternoon? | 12 | to sit o | |
| A. Right, | 13 | 400 | Okay. So, if he were a Conomer, could he sit in |
| Q. And what was the weather like that day? | 14 | the ch | |
| A. It was a nice-weather day. | 15 | | Yesh |
| Q. Okay. And was it rainy? | 16 | Q. | Olay. |
| A. No. | 1.7 | A | If he buying it But if he ain't buying it, he |
| Q. Okay. All right. | 18 | can't | or onlying at San in the aim to onlying it, the |
| And do you take any medication? | 19 | Q. | Only if you're a customer buying the chair? |
| A. I take high blood pressure medication. | 20 | A | |
| Q. Okay. How long have you been on that? | 21 | Q. | = - 4 |
| A. Been a while. 38 probably. Since I've been 38. | 22 | posted | Okac So, customers are never – is there a sign |
| Q. Okay. And you're 55 now? | 23 | | |
| A. Yeah. | 24 | | Dey got signs. Don't get on them unless you — hold on. Let me finish. Was there a sign posted |
| Q. So, that would be, what, about 13 years, at least | 25 | . 11 | time for Mr. Johnson to not sit in that chair? |
| Páge 23 | | | Page 25 |
| years? | | A. | I can't remember. |
| A. Right. | | Q. | Okay. Are there any other - were there any other |
| Q. Okay. Did you take your medication that day? | 1907° | signs | posted for Mr. Johnson or for anyone? |
| A. I take it every day. | | Α. | It's for anybody. Don't sit on there unless you're |
| O Olmy And do you become about the control of the Co | Ŋ | buying | 2. |
| Q. Okay. And do you know what the name of the | 5 5 | онущ | |
| Q. Okay. And do you know what the name of the godication is? | 5 6 | | And that's what it says? |
| | 5 6 7 | Q. | And that's what it says? Yeah. |
| edication is? | 5 6 7 8 | Q. | |
| edication is? A. I can't remember the name of the medication. They | | Q. A. | Yeah. |
| A. I can't remember the name of the medication. They sange, different kinds. | 8 | Q. A. Q. | Yeah. Okay. It says do not sit on the chairs? Unless you're a customer buying. |
| A. I can't remember the name of the medication. They sange, different kinds. Q. Okay. And the medication that you were that | 8 9 | Q. A. Q. A. | Yeah. Okay. It says do not sit on the chairs? |
| A. I can't remember the name of the medication. They sange, different kinds. Q. Okay. And the medication that you were on that y, is it the same that you're on today? | 8 9 10 | Q. A. Q. A. | Yeah. Okay. It says do not sit on the chairs? Unless you're a customer buying. Give me the — I guess let me — you give me the wording. |
| A. I can't remember the name of the medication. They sange, different kinds. Q. Okay. And the medication that you were on that y, is it the same that you're on today? A. Right. | 8 9 10 11 | Q. A. Q. A. Q. proper | Yeah. Okay. It says do not sit on the chairs? Unless you're a customer buying. Give me the — I guess let me — you give me the wording, Do not sit on the chair unless you're a customer. |
| A. I can't remember the name of the medication. They sange, different kinds. Q. Okay. And the medication that you were on that y, is it the same that you're on today? A. Right. Q. Okay. And how often do you take that? | 8 9 10 11 12 | Q. A. Q. A. Q. proper | Yeah. Okay. It says do not sit on the chairs? Unless you're a customer buying. Give me the — I guess let me — you give me the wording. |
| edication is? A. I can't remember the name of the medication. They sange, different kinds. Q. Okay. And the medication that you were on that y, is it the same that you're on today? A. Right. Q. Okay. And how often do you take that? A. One every day. | 8 9 10 11 12 13 | Q. A. Q. proper A. Q. | Yeah. Okay. It says do not sit on the chairs? Unless you're a customer buying. Give me the — I guess let me — you give me the wording. Do not sit on the chair unless you're a customer. And where would that be placed? |
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| A. I can't remember the name of the medication. They sange, different kinds. Q. Okay. And the medication that you were on that y, is it the same that you're on today? A. Right. Q. Okay. And how often do you take that? A. One every day. Q. Once a day? A. Yeah. | 8 9 10 11 12 13 14 15 | Q. A. Q. A. Q. proper A. Q. A. Q. A. | Yeah. Okay. It says do not sit on the chairs? Unless you're a customer buying. Give me the — I guess let me — you give me the wording, Do not sit on the chair unless you're a customer. And where would that be placed? It would be in front of the chairs. In front? Like, on the seat up here. |
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| edication is? A. I can't remember the name of the medication. They sange, different kinds. Q. Okay. And the medication that you were on that y, is it the same that you're on today? A. Right. Q. Okay. And how often do you take that? A. One every day. Q. Once a day? A. Yeah. Q. Any other? A. No. | 8 9 10 11 12 13 14 15 16 17 | Q. A. Q. proper A. Q. A. Q. A. Q. A. Q. A. Q. A. | Yeah. Okay. It says do not sit on the chairs? Unless you're a customer buying. Give me the — I guess let me — you give me the wording. Do not sit on the chair unless you're a customer. And where would that be placed? It would be in front of the chairs. In front? Like, on the seat up here. Okay. And was it on all the chairs that day? Most of the chairs that day. |
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| A. I can't remember the name of the medication. They sange, different kinds. Q. Okay. And the medication that you were no that y, is it the same that you're on today? A. Right. Q. Okay. And how often do you take that? A. One every day. Q. Once a day? A. Yeah. Q. Any other? A. No. Q. Were you on any other medication that day? A. No. Q. Okay. And on moday — at the time that you — | 8 9 10 11 12 13 14 15 16 17 18 19 20 | Q. A. Q. proper A. Q. A. Q. A. Q. A. Q. A. Q. A. Q. A. | Yeah. Okay. It says do not sit on the chairs? Unless you're a customer buying. Give me the — I guess let me — you give me the wording, Do not sit on the chair unless you're a customer. And where would that be placed? It would be in front of the chairs. In front? Like, on the seat up here. Okay. And was it on all the chairs that day? Most of the chairs that day. And was it on the seat that Mr. Johnson was in? Yes, ma'am. |
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| A. I can't remember the name of the medication. They sange, different kinds. Q. Okay. And the medication that you were on that y, is it the same that you're on today? A. Right. Q. Okay. And how often do you take that? A. One every day. Q. Once a day? A. Yeah. Q. Any other? A. No. Q. Were you on any other medication that day? A. No. Q. Okay. And on the day — at the time that you — nen you reported tawork at 4:00 o'clock, did you see | 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 | Q. A. Q. | Yeah. Okay. It says do not sit on the chairs? Unless you're a customer buying. Give me the — I guess let me — you give me the wording. Do not sit on the chair unless you're a customer. And where would that be placed? It would be in front of the chairs. In front? Like, on the seat up here. Okay. And was it on all the chairs that day? Most of the chairs that day. And was it on the seat that Mr. Johnson was in? Yes, ma'am. And you saw that? Yeah. |
| A. I can't remember the name of the medication. They sange, different kinds. Q. Okay. And the medication that you were on that y, is it the same that you're on today? A. Right. Q. Okay. And how often do you take that? A. One every day. Q. Once a day? A. Yeah. Q. Any other? A. No. Q. Were you on any other medication that day? A. No. Q. Okay. And on moday — at the time that you — nen you reported to work at 4:00 o'clock, did you see r. Johnson? | 8 9 10 11 12 13 14 15 16 17 18 19 20 21 | Q. A. Q. proper A. Q. A. | Yeah. Okay. It says do not sit on the chairs? Unless you're a customer buying. Give me the — I guess let me — you give me the wording, Do not sit on the chair unless you're a customer. And where would that be placed? It would be in front of the chairs. In front? Like, on the seat up here. Okay. And was it on all the chairs that day? Most of the chairs that day. And was it on the seat that Mr. Johnson was in? Yes, ma'am. And you saw that? |
| A. ang Q. y, is A. Q. A. Q. A. Q. A. | Okay. And do you know what the name of the ation is? I can't remember the name of the medication. They e, different kinds. Okay. And the medication that you were on that it the same that you're on today? Right. Okay. And how often do you take that? One every day. Once a day? Yeah. Any other? No. | ation is? I can't remember the name of the medication. They e, different kinds. Okay. And the medication that you were on that sit the same that you're on today? Right. Okay. And how often do you take that? One every day. Once a day? Yeah. Any other? No. | I can't remember the name of the medication. They e, different kinds. Okay. And the medication that you were contact it the same that you're on today? Right. Okay. And how often do you take that? One every day. Once a day? Yeah. Any other? No. |

7 (Pages 22 to 25)

| | Page 26 | | Page 28 |
|---|--|--|---|
| | | 4.1 | |
| 1 | Mr. Johnson was buying the chair? | 1 | Q. Who panhandles? |
| 2 | A. No, he wasn't buying the chair. | 2 | A. Mr. Johnson. |
| 3 | Q. Okay. And do you know whether or not he had | 3 | Q. Was he panhandling when you saw him? |
| 4 | inquired about the chair? | -8 | A. Yeah. He begs. |
| 5 | No, he did not inquire about the chair. | 5 | Q. Okay. But he was panhandling at the time you saw |
| 6 | Q. Do you know whether or not he inquired before you | 6 | him? |
| 7 | got there? | 7 | A. Right. He didn't panhandle at the time I saw him. |
| 8 | A. I don't know before I got there. | -8 | But after, he started doing it. |
| 9 | Q. Okay. So, you don't know what he was buying or | 9 | Q. Okay. Repeat your answer. |
| 10 | what he did before you - | 10 | A. Where we're at at H-E-B, they don't want homeless |
| 11 | A. Right. | 11 | people over there. |
| 12 | Q got there? | 1.2 | Q. Okay. |
| 13 | A. No. | 13 | MS. FAULKNER, Objection, nonresponsive. |
| 14 | Q. Okay. And had you seen Mr, Johnson before that. | 14 | Q. (BY MS. FAULXNER) Let me repeat my question. |
| 15 | day? | 15 | A. Yeah. |
| 16 | A. I hadn't seen him that day, but the managers knew | 16 | Q. When you Mr when the manager told you about |
| 17 | about him. He had been coming by there. | 17 | Mr. Johnson, wast did he tell you about Mr. Johnson? |
| 18 | Q. You had not seen him? | 18 | A. Wells called me and told me he got to go because |
| 19 | A. I hadn't seen him before that day, but the manager | 19 | he's panhandling |
| 20 | saw him. | 20 | Q. He called you on the site phone? |
| 21 | Q. Okay. The manager saw him? | 21 | A. Called me on the site phone. |
| 22 | They knew that he had been coming by there. | 22 | Workey. |
| 23 | Q. Which manager? | 23 | A I have to follow their instructions. |
| 24 | A. Tammy seen him. Jesse seen him. Mike seen him. | 24 | Q. Okay. And what did he tell you? |
| 25 | They used to tell him to go. | 250 | A. He said, "Tell him to go. He's panhandling." |
| - | Page 27 | | Page 29 |
| 1 | Q. Okay. | | |
| 2 | (1) | D | Q. That's what Mike said? |
| 3 | MS. FAULKNER: I'm going to object as | 7 4 | A. Yeah. "He's panhandling." |
| 4 | nonresponsive. | 3 | Q. And he said, "Tell him he has to go"? |
| | Q. (BY MS. FAULKNER) Had you seen Mr. Johnson belose the incident occurred and before that day? | 9 | A. Yeah. |
| 5 | A. No. I hadn't seen him. | 5 | Q. Because |
| 0 | | | A. "He's panhandling. He's begging." |
| 7 B | Q. And what days are you off? | 7 | Q. And were you outside at the time? |
| | A. I'm off weekends. | 8 | A. I was outside. |
| | Q. Okay. And you had never seen Mr. Johnson at H-E-B | 9 | Q. And when he called you, were you out near |
| 9 | (/ \) | 10 | |
| 9 | before the incident occurred? | 1000 | Mr. Johnson? |
| 9 10 11 | A. Before the incident occurred, yes, maam, I had | 11 | A. I was outside. I wasn't near Mr. Johnson, but |
| 9 10 11 12 | A. Before the incident occurred, yes, maam, I had never seen him. | 11 12 | A. I was outside. I wasn't near Mr. Johnson, but I was outside. |
| 9 10 11 12 | A. Before the incident occurred, yes, ma am, I had never seen him. Q. Never seen him before. Okay | 11 12 13 | A. I was outside. I wasn't near Mr. Johnson, but was outside. Q. You were outside the building? |
| 9 10 11 12 13 | A. Before the incident occurred, yes, ma am, I had never seen him. Q. Never seen him before. Okay You had never had any encounters with Mr. Johnson? | 11 12 13 14 | A. I was outside. I wasn't near Mr. Johnson, but was outside. Q. You were outside the building? A. Yeah. |
| 9 10 11 12 13 14 | A. Before the incident occurred, yes, not am, I had never seen him. Q. Never seen him before. Okay You had never had any encounters with Mr. Johnson? A. No. | 11 12 13 14 15 | A. I was outside. I wasn't near Mr. Johnson, but I was outside. Q. You were outside the building? A. Yeah. Q. Okay. And then your patrol or security is to |
| 9 10 11 12 13 14 15 16 | A. Before the incident occurred, yes, ma am, I had never seen him. Q. Never seen him before. Okay. You had never had any encounters with Mr. Johnson? A. No. Q. Okay. And on your — we said that Mike, the | 11 12 13 14 15 16 | A. I was outside. I wasn't near Mr. Johnson, but I was outside. Q. You were outside the building? A. Yeah. Q. Okay. And then your patrol or security is to secure the outside of the building? |
| 9 10 11 12 13 14 15 | A. Before the incident occurred, yes, ma am, I had never seen him. Q. Never seen him before. Okay You had never had any encounters with Mr. Johnson? A. No. Q. Okay. And on your possaid that Mike, the manager, told you about McJohnson that day? | 11 12 13 14 15 | A. I was outside. I wasn't near Mr. Johnson, but I was outside. Q. You were outside the building? A. Yeah. Q. Okay. And then your patrol or security is to |
| 9 10 11 12 13 14 15 16 | A. Before the incident occurred, yes, ma am, I had never seen him. Q. Never seen him before. Okay You had never had any encounters with Mr. Johnson? A. No. Q. Okay. And on your — worsaid that Mike, the manager, told you about Mr. Johnson that day? A. Right. | 11 12 13 14 15 16 | A. I was outside. I wasn't near Mr. Johnson, but was outside. Q. You were outside the building? A. Yeah. Q. Okay. And then your patrol or security is to secure the outside of the building? |
| 9 10 11 12 13 14 15 16 17 | A. Before the incident occurred, yes, ma am, I had never seen him. Q. Never seen him before. Okay You had never had any encounters with Mr. Johnson? A. No. Q. Okay. And on your possaid that Mike, the manager, told you about McJohnson that day? | 11 12 13 14 15 16 17 | A. I was outside. I wasn't near Mr. Johnson, but was outside. Q. You were outside the building? A. Yeah. Q. Okay. And then your patrol or security is to secure the outside of the building? A. To secure all the outside. |
| 9 10 11 12 13 14 15 16 17 18 | A. Before the incident occurred, yes, ma am, I had never seen him. Q. Never seen him before. Okay You had never had any encounters with Mr. Johnson? A. No. Q. Okay. And on your — worsaid that Mike, the manager, told you about Mr. Johnson that day? A. Right. | 11 12 13 14 15 16 17 18 | A. I was outside. I wasn't near Mr. Johnson, but was outside. Q. You were outside the building? A. Yeah. Q. Okay. And then your patrol or security is to secure the outside of the building? A. To secure all the outside. Q. Outside? A. Yeah. |
| 9 10 11 12 13 14 15 16 17 18 19 20 | A. Before the incident occurred, yes, ma am, I had never seen him. Q. Never seen him before. Okay You had never had any encounters with Mr. Johnson? A. No. Q. Okay. And on your — you said that Mike, the manager, told you about Mc Johnson that day? A. Right. Q. You said about 300 o'clock? | 11 12 13 14 15 16 17 18 19 | A. I was outside. I wasn't near Mr. Johnson, but was outside. Q. You were outside the building? A. Yeah. Q. Okay. And then your patrol or security is to secure the outside of the building? A. To secure all the outside. Q. Outside? A. Yeah. |
| 9 10 11 12 13 14 15 16 17 18 19 20 21 | A. Before the incident occurred, yes, ma an, I had never seen him. Q. Never seen him before. Okay You had never had any encounters with Mr. Johnson? A. No. Q. Okay. And on your — you said that Mike, the manager, told you about Mc Johnson that day? A. Right. Q. You said about 300 o'clock? A. About 5:00 Clock? | 11 12 13 14 15 16 17 18 19 20 21 | A. I was outside. I wasn't near Mr. Johnson, but was outside. Q. You were outside the building? A. Yeah. Q. Okay. And then your patrol or security is to secure the outside of the building? A. To secure all the outside. Q. Outside? A. Yeah. Q. Do you have any security duties on the inside? A. No. |
| 9 10 11 12 13 14 15 16 17 18 19 20 21 22 | A. Before the incident occurred, yes, ma am, I had never seen him. Q. Never seen him before. Okay You had never had any encounters with Mr. Johnson? A. No. Q. Okay. And on your prostaid that Mike, the manager, told you about Mr. Johnson that day? A. Right. Q. You said about 10 o'clock? A. About 5:00. Stock. Q. Okay. What did he tell you? A. He told me to tell Mr. Johnson he had to go | 11 12 13 14 15 16 17 18 19 20 21 22 | A. I was outside. I wasn't near Mr. Johnson, but was outside. Q. You were outside the building? A. Yeah. Q. Okay. And then your patrol or security is to secure the outside of the building? A. To secure all the outside. Q. Outside? A. Yeah. Q. Do you have any security duties on the inside? A. No. Q. Okay. Just on the outside? |
| | A. Before the incident occurred, yes, ms am, I had never seen him. Q. Never seen him before. Okay You had never had any encounters with Mr. Johnson? A. No. Q. Okay. And on your — you said that Mike, the manager, told you about Mc Johnson that day? A. Right. Q. You said about 50 o'clock? A. About 5:00 ms ck. Q. Okay. What did he tell you? | 11 12 13 14 15 16 17 18 19 20 21 | A. I was outside. I wasn't near Mr. Johnson, but I was outside. Q. You were outside the building? A. Yeah. Q. Okay. And then your patrol or security is to secure the outside of the building? A. To secure all the outside. Q. Outside? A. Yeah. Q. Do you have any security duties on the inside? A. No. |

8 (Pages 26 to 29)

Case 4:23-cv-02823 Document 34-1 Filed on 01/22/25 in TXSD Page 613 of 718 Page 30 Page 32 1 Q. Including the parking lot? question. I understand, Calvin. J. 2 A. Including the parking lot. THE WITNESS: Yeah, 3 Q. Okay. So, Mike told you to ask Mr. Johnson to 3 MR. BEGLEY: But let her finish the question. 4 leave -4 Q. (BY MS. FAULKNER) You didn't know who it was? 5 A. Yeah. 5 A. Huh-uh. Q. - because he is panhandling? 6 Q. The person who you say that he was allegedly 7 A. Right. panhandling from, did that person complain to you? B Q. Okay. When you saw Mr. Johnson - had you seen A. No. 9 Mr. Johnson before Mike called you? Q. Okay. And other than Mike, did anyone else come up 9 10 A. I saw him before Mike called me. 10 to you to say Mr. Johnson was panhandling? 11 Q. Okay. And you said he was sitting in the chair? 11 Nobody else came up to men 12 A. Yeah. Q. Okay. And did any customers come up to you? 13 Q. Okay. But you did not see him panhandling at that 13 A. Nobody came complaint to me that day. 14 time? 14 Q. I'm sorry. Say it again. 15 A. No. 15 A. Nobody came complaining to me. 16 Q. Okay. And did you - what did you do - did Mike 16 Q. And you're in uniform as a security officer, right? 17 tell you to go up to him? 17 A. Right. 18 A. No. I went up to him in a mild way. "Sir" --Q. Okay. Do have a pair of black pants, white 18 19 Q. Hold on. 19 shirt or dark stairs 20 MS. FAULKNER: Objection, nonresponsive. 20 A. I got black pants, silver shirt. 21 MR. BEGLEY: Hold on. I'm fine with you 21 Q. Okto And do you have an emblem on your shirt 22 objecting -22 somewh(23 MS. FAULKNER: Okay. A. Weht 24 MR. BEGLEY: - to the responsiveness after 24 Q Okay. And you have your site phone? 25 he gives his answer. I understand -25 Page 31 Page 33 1 MS. FAULKNER: Sure. Q. Is that usually in your hand or on your waist or -2 MR. BEGLEY: - if you think he's not A. Usually in my hand. 3 answering your question, but let him finish his response. 3 Q. Okay. All right. Q. (BY MS. FAULKNER) Let me rephrase my questions 4 4 Could I, for instance, call you on your site phone 5 A. Okay. 5 if I had the number? á Q. When you saw Mr. Johnson that day, was he A. Yeah. 7 panhandling? 7 Q. Okay. And could tell you - talk to you just like 8 A. He was panhandling that day. a regular phone? 9 Q. When you first saw him? A. Yeah. But I can't - but we don't answer the phone 9 10 A. Yeah, he was panhandling. 10 for anybody. Q. Okay. You saw him panhandling? 11 Q. I understand. But it's capable of -12 A. Yeah. 12 A. It's capable of doing that. Q. When you first saw him that day before Mike called 13 13 Q. – receiving a call? 14 you? 14 It's capable of receiving a call. 15 A. Well, when I saw him, I was going to - I wasn't on 15 Q. And you can call out? 16 duty yet, but I was going to work. 16 A. Yeah. But I don't do that. 17 Q. You were getting to the building? 17 Q. Right. But you're capable of calling? 18 A. Yeah. 18 A. Right. 19 Q. Okay. When you are him - when you first saw 19 Q. Okay. All right. Mr. Johnson, was he parthandling when you first saw him? 20 And, so, no customers had complained. And do you 21 A. He was panhandling when I first saw him. 21 know of any customers that had complained to Mike? 22 Q. Okay. And do you know the person who he was - who 22 MR. BEGLEY: Objection, form. 23 he pan - who allegedly -23 Q. (BY MS. FAULKNER) You can answer. 24 A. I can't remember. 24 A. I don't know. 25 MR. BEGLEY: You've got to let her finish the 25 Q. Okay. And when Mike told you that he was

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| | Page 34 | | Page 36 |
|---|---|--|--|
| 1 | panhandling, he did not name any customers or anything? | 1 | Q. Okay. So, Mr. Johnson did not look like a regular |
| 2 | A. No. | 2 | person? |
| 3 | Q. Okay. And when you approached Mr. Johnson, where | 3 | A. He looked like a regular person. |
| 4 | was Mr. Johnson? | -4 | Q. He looked like a regular person to you? |
| 5 | A. When I approached Mr. Johnson, he was sitting in | 5 | A. Yeah. |
| 6 | the seat. | -6 | Q. Okay. And was he with anyone? |
| 7 | Q. The same chair that you saw him in? | 7 | A. No. |
| 8 | A. Yeah. | В | Q. Okay. He wasn't in a wheelchair or had a walker or |
| 9 | Q. Okay. | 9 | a cane at the time? |
| 10 | A. But when I approached Mr. Johnson, I approached | 10 | A. I can't remember a cane, but he wasn't in a |
| 11 | Mr. Johnson in a nice manner. | TI | wheelchair. He was not in a weelchair. |
| 12 | Q. Okay. Now, when you approached him, where was he? | 12 | Q. Okay. You told me sarlier, you said you remember |
| 13 | A. "Sir, you got to leave," | 13 | the day well, that incident well. |
| 14 | Q. No. He was sitting in the seat? | 14 | A. Yeah. |
| 15 | A. Yeah. I said, "Sir" - | 15 | Q. But you don't remember whether or not he had a |
| 16 | Q. Hold on. I haven't gotten that far. He was still | 16 | walker or any - |
| 17 | sitting in the same chair? | 17 | A. I can't resonanter. It's been two years ago or |
| 18 | A. Right. | 18 | whatever. It's Den a long time. I can't remember all that. |
| 19 | Q. Okay. And you walked up to him? | 19 | Q. (Xcay) And do you know what color his clothes were? |
| 20 | A. Right. | 20 | A. J don't know. I can't remember. |
| 21 | Q. Okay. And did Mr. Johnson have any kind of walking | 21 | QC Okay. Do you remember whether or not he had |
| 22 | apparatus at the time? | 22 | gless |
| 23 | A. 1 can't remember all that. | 23 | I can't remember that. |
| 24 | Q. Okay. And how was he dressed? | 24 | Q. Okay. And you said he wasn't with anyone. |
| 25 | A. He had some kind of old clothes on, jeans and some | 200 | A. No. |
| | Page 35 | | Page 37 |
| 1 | shirt | \bigcirc 1 | Q. To your knowledge? |
| 2 | Q. Okay. And he looked just like a regular customer? | 2 | A. To my knowledge. |
| 3 | MR. BEGLEY: Objection, form. | -3 | Q. Okay. Do you know whether or not he could he |
| 4 | A. Not really. | 4 | even speak English? |
| 5 | Q. (BY MS. FAULKNER) Okay. | 5 | He spoke English. He spoke good English. |
| 6 | A. Not really | 6 | Q. Okay. All right. |
| 7 | Q. To your understanding, what does a regular eastomer | 7 | And he spoke to you? |
| 8 | look like? | 8 | Yeah. And he was πide. |
| | A. A regular customer carries theirself regular, you | 9 | Q. Okay. And when you approached him — |
| 9 | know. I can tell - with homeless people, I can tell how | 10 | A. Right. |
| | | | A. Right. |
| 9 | they look, all that, you know. I know their face. Now, as | 11 | Q. — what did you tell him? |
| 9 10 | | | |
| 9 10 11 | they look, all that, you know. I know their face. Now, as | 11 12 13 | Q. — what did you tell him? |
| 9 10 11 12 | they look, all that, you know. I know their face. Now, as far as me, when I saw Mr | 11 12 | Q. — what did you tell him? A. I said, "Sir, you got to go. They don't want you |
| 9 10 11 12 13 14 15 | they look, all that, you know. I know their face. Now, as far as me, when I saw Mr Q. A regular person? A. Right. Q. What does a regular person | 11 12 13 14 15 | Q. — what did you tell him? A. I said, "Sir, you got to go. They don't want you on the premises." But do you know what he did? Q. I didn't ask you that yet. A. Okay. |
| 9 10 11 12 13 14 15 16 | they look, all that, you know. I know their face. Now, as far as me, when I saw Mr, Q. A regular person? A. Right. | 11 12 13 14 15 16 | Q. — what did you tell him? A. I said, "Sir, you got to go. They don't want you on the premises." But do you know what he did? Q. I didn't ask you that yet. A. Okay. |
| 9 10 11 12 13 14 15 16 17 | they look, all that, you know. I know their face. Now, as far as me, when I saw Mr. — Q. A regular person? A. Right. Q. What does a regular person — MR. BEGLEY; Gord on. Let him finish his answer. | 11 12 13 14 15 | Q. — what did you tell him? A. I said, "Sir, you got to go. They don't want you on the premises." But do you know what he did? Q. I didn't ask you that yet. A. Okay. Q. You approached him, and he was still sitting in the chair? |
| 9 10 11 12 13 14 15 16 | they look, all that, you know. I know their face. Now, as far as me, when I saw Mr Q. A regular person? A. Right. Q. What does a regular person MR. BEGLEY. Food on. Let him finish his answer. MS. FAUL CR: Okay. | 11 12 13 14 15 16 17 18 | Q. — what did you tell him? A. I said, "Sir, you got to go. They don't want you on the premises." But do you know what he did? Q. I didn't ask you that yet. A. Okay. Q. You approached him, and he was still sitting in the chair? A. Right. |
| 9 10 11 12 13 14 15 16 17 18 | they look, all that, you know. I know their face. Now, as far as me, when I saw Mr Q. A regular person? A. Right. Q. What does a regular person MR. BEGLEY; Gord on. Let him finish his answer. MS. FAUL CORR: Okay. MR. BEGLEY; Go ahead. | 11 12 13 14 15 16 17 18 19 | Q. — what did you tell him? A. I said, "Sir, you got to go. They don't want you on the premises." But do you know what he did? Q. I didn't ask you that yet. A. Okay. Q. You approached him, and he was still sitting in the chair? A. Right. Q. And you were standing over him? |
| 9 10 11 12 13 14 15 16 17 18 | they look, all that, you know. I know their face. Now, as far as me, when I saw Mr Q. A regular person? A. Right. Q. What does a regular person MR. BEGLEY; (You on. Let him finish his answer. MS. FAULENER: Okay. MR. BEGLEY: Go ahead. Q. (BY MS. FAULENER) Let me rephrase the question. | 11 12 13 14 15 16 17 18 | Q. — what did you tell him? A. I said, "Sir, you got to go. They don't want you on the premises." But do you know what he did? Q. I didn't ask you that yet. A. Okay. Q. You approached him, and he was still sitting in the chair? A. Right. |
| 9 10 11 12 13 14 15 16 17 18 19 20 21 | they look, all that, you know. I know their face. Now, as far as me, when I saw Mr Q. A regular person? A. Right. Q. What does a regular person MR. BEGLEY; God on. Let him finish his answer. MS. FAULENER: Okay. MR. BEGLEY; Go ahead. Q. (BY MS. CALLKNER) Let me rephrase the question. What does a regular person look like to you? | 11 12 13 14 15 16 17 18 19 20 21 | Q. — what did you tell him? A. I said, "Sir, you got to go. They don't want you on the premises." But do you know what he did? Q. I didn't ask you that yet. A. Okay. Q. You approached him, and he was still sitting in th chair? A. Right. Q. And you were standing over him? |
| 9 10 11 12 13 14 15 16 17 18 19 20 21 | they look, all that, you know. I know their face. Now, as far as me, when I saw Mr. — Q. A regular person? A. Right. Q. What does a regular person — MR. BEGLEY: Word on. Let him finish his answer. MS. FAULKNER: Okay. MR. BEGLEY: Go ahead. Q. (BY MS. AULKNER) Let me rephrase the question. What does a regular person look like to you? A. A regular person look like to me, he just dress | 11 12 13 14 15 16 17 18 19 20 | Q. — what did you tell him? A. I said, "Sir, you got to go. They don't want you on the premises." But do you know what he did? Q. I didn't ask you that yet. A. Okay. Q. You approached him, and he was still sitting in the chair? A. Right. Q. And you were standing over him? A. I didn't stand over him. I just walked close — |
| 9 10 11 12 13 14 15 16 17 18 | they look, all that, you know. I know their face. Now, as far as me, when I saw Mr Q. A regular person? A. Right. Q. What does a regular person MR. BEGLEY; God on. Let him finish his answer. MS. FAULENER: Okay. MR. BEGLEY; Go ahead. Q. (BY MS. CALLKNER) Let me rephrase the question. What does a regular person look like to you? | 11 12 13 14 15 16 17 18 19 20 21 | Q. — what did you tell him? A. I said, "Sir, you got to go. They don't want you on the premises." But do you know what he did? Q. I didn't ask you that yet. A. Okay. Q. You approached him, and he was still sitting in the chair? A. Right. Q. And you were standing over him? A. I didn't stand over him. I just walked close — walked close — |
| 9 10 11 12 13 14 15 16 17 18 19 20 21 22 | they look, all that, you know. I know their face. Now, as far as me, when I saw Mr. — Q. A regular person? A. Right. Q. What does a regular person — MR. BEGLEY: Word on. Let him finish his answer. MS. FAULKNER: Okay. MR. BEGLEY: Go ahead. Q. (BY MS. AULKNER) Let me rephrase the question. What does a regular person look like to you? A. A regular person look like to me, he just dress | 11 12 13 14 15 16 17 18 19 20 21 22 | Q. — what did you tell him? A. I said, "Sir, you got to go. They don't want you on the premises." But do you know what he did? Q. I didn't ask you that yet. A. Okay. Q. You approached him, and he was still sitting in the chair? A. Right. Q. And you were standing over him? A. I didn't stand over him. I just walked close — walked close — Q. Okay. |

10 (Pages 34 to 37)

Case 4:23-cv-02823 Document 34-1 Filed on 01/22/25 in TXSD Page 615 of 718 let him finish the answer. 1 Q. Did you make a report that day? 2 MS. FAULKNER: And he's got to let me finish A. Yeah. I went and got them, and then I called my 3 asking the question. 3 manager. 4 Q. (BY MS. FAULKNER) Okay. Let me rephrase my 4 Q. You went to do what now? 5 question. When you walked up to Mr. Johnson, did you sit 5 A. I went and got the MIC at the job. 6 down in a chair beside him? 6 Q. Which is Jesse? 7 A. No. 7 A. Jesse. And Tammy came over. 8 Q. Okay. And when you walked up to Mr. Johnson, you 8 Q. And Tammy, Okay, just walked up to him; is that correct? 9 9 You went and got both of them? 10 A. Yeah. I walked up to him -20 A. Yeah. 11 Q. Okav. 11 Q. You went inside the building? 12 in a nice manner. 12 A. I went inside the building 13 Q. Okay. And when you walked up to him, what did you 13 Q. Okay. So, you left your post outside? 14 A. That's my job. 14 15 A. I said, "Sir" - first word I said is, "Sir, you 15 Q. Right. And you went inside to get the manager? 16 got to leave the premises." 16 A. Correct. 17 Q. Okay. He was still sitting in the chair? 17 Q. Okay. And the witnesses give their names to 18 18 A. No. He went to cussing me out and carrying on. Jesse or Tammy? 19 A. I don't know. I guess they did. Q. Was he still sitting in the chair? 19 A. No. He got up then. 20 Q. Okay And in your report did you include names of anyone? 21 21 Q. He got up. Okay. 22 22 And do you know how old Mr. Johnson was? A. (%) A. I don't know how old he was. 23 23 Q. Okay. Did you include Tammy and Jesse's name in 24 24 Q. How old did he look to you? your report? 25 25 A. I couldn't tell. Looked like he was in his 70s. Not really. I mean, I report - when I report Page 39 1 Q. Okay. So, he was elderly? stuff, my manager came over. I called him, and he came over. A. Right. Q. Did you put in your report that Mike, the manager Q. Okay. And when he got up out of the chair, did he 3 of H-E-B, asked you to ask Mr. Johnson to leave? need any assistance to get up? 4 A. I didn't put it in the report. A. No. Q. Okay. And it was a written report that you signed? 6 Q. Okay. And what did he get up and do? A. I signed a written report. A. He got up and he cussed me out, called me MF/s, all 7 Q. Okay. And did you - who did you give that report kind of names. 9 9 Q. Okay. And were there any witnesses around there? 9 A. My report, she got it. Tammy got the report. 10 A. Someone must have saw it, yes. 10 Q. You left it there at H-E-B? 11 Q. Okay. Do you have their names? 11 12 A. I can't remember their names, but someone - they Q. Okay. And do you give it also to - a copy of your 13 got witnesses that saw it. 13 report to your company? 14 Q. Okay, Were there any H-E-B employees who were 14 A. I give it to my people. Now, that day I didn't put 15 witnesses? 15 it on the phone; but I didn't have nothing to hide. It's the 16 A. They was inside. 16 first time that happened. So, I didn't put it on the phone. 17 Q. Okay. So, no witnesses wher than yourself and 17 Q. You put it on -18 Mr. Johnson and other people walking by? 18 A. I didn't put it on the site phone. 19 A. Yeah, they got voresses. Q. The site phone? 20 Q. Okay. You don't know who they are? 20 A. Right. 21 A. I don't know who they are. 22 Q. Okay. But you made a written report, though? 22 Q. And as a security guard, is it part of your duty 22 A. Right. 23 to - when an incident occurs like that, is it part of your 23 Okay. And you gave the written document to Tammy? 24 duty to make a report? 24 Yes, ma'am. 25 It's my duty to make a report. 25 Q. Did you also give it to anyone at Allied?

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| | Page 42 | | Page 44 |
|--|--|----------------------------------|---|
| 1 | A CO | 3.1 | |
| | A. No. | 1 | And you listen to my question and please answer. |
| 2 | Okay. And where is that report today? A. I don't know. | 2 | A. Okay. MR. BEGLEY: Wait. |
| 3 | | 3 | |
| 5 | Q. Okay. And you gave it to Tammy? A. Yeah. | 4 | Answer the question. Go ahead, Go ahead, Calvin. |
| | | 5, | A. Mr. Johnson was fold to get off the premises. |
| 6 | Q. But she has not — she did not give you a copy of it? | 5 | Mr. Johnson walked towards me real close. I just pushed him |
| 8 | A. No. | 8 | gently. That's it. Q. (BY MS. FAULKNER) You did touch him? |
| 9 | Q. Do you know whether or not she turned it in to | | |
| 10 | her – turned it in to Allied at all? | 10 | A. Yeah, because he got in my space. You can't get in my space. I just pushed him gently off. That's it. That's |
| 11 | A. I don't know. | 11 | all I did. Nothing else happens I can do that. |
| 12 | Q. Right. And that was your statement as to what | 12 | Q. You can do that? |
| 13 | occurred; is that right? | 13 | A. Yeah. When you are in my space, I can do that. |
| 14 | A. Right. | 14 | That's in the training. |
| 15 | Okay. And is it the policy and procedure of Allied | 15 | Q. That's in the what does the training tell you to |
| 16 | to get a copy of the report? | 16 | do? |
| 17 | MR. BEGLEY: Objection, form. | 17 | A. If you're the atened with your life or anything |
| 18 | A. No. If I send it on the site phone, I tell my | 18 | like that. He waked in my space. He kept coming. He was |
| 19 | supervisor what happened. | 19 | cussing with saying all kind of bad things. I just -I |
| 20 | Q. (BY MS. FAULKNER) If you tell them what happened? | 20 | would not hit an old man. I pushed him off. That's it. |
| 21 | A. I told them what happened. I told the supervisor | 21 | Q. So your training tells you when your life is |
| 22 | what happened. | 22 | throwned, you can touch them and push a person away? |
| 23 | Q. Okay. And, so, they would have information that | 23 | No, no. It depend. If he come in my space. |
| 24 | something occurred that you were involved in? | 24 | Q. Okay, What's your space? Define "your space." |
| 25 | A. Right. | 250 | A. My space is close. We were close like this here. |
| | Page 43 | | Page 45 |
| 1 | Q. Okay. And did they was a written report filed | | Q. Within - define for the jury what is close? |
| 2 | with Allied? Do you know? | 2 | A. Like this, real close. |
| 3 | A. I don't know for sure, but H-E-B filed one. | 3 | Q. So, you're looking at probably about what? |
| 4 | Q. Okay. And who did they give that report to or do | 4 | A. Maybe about a couple inches, about five or six |
| 5 | you know? | 5 | inches. |
| 6 | A. They don't tell me. | 6 | Q. And he came up to you? |
| 7 | Q. Okay. But you're an employee of Allied; is 100 | 7 | A. Right. |
| 8 | солест? | 8 | Q. Within five or six inches? |
| 9 | A. Right. | 9 | A. He came close to me. |
| 10 | Q. Okay. And what is Allied's procedure when a person | 10 | Q. Okay. And in your training manual, it says if your |
| 11 | is involved in an altercation with a customer at H-E-B? | 11 | life is threatened |
| 12 | A. It depend on if I hit somebody. get fired. | 12 | A. Right. |
| 13 | like, that quick. | 13 | Q you can touch another person? |
| | Q. If you do what now? | 14 | A. Yeah. But the thing is I don't hit old people. |
| | A ICINI CONTROL TO A CONTROL TO | 15 | Okay? I just push them out of my space. That's it. |
| 14 | A. If I hit a person, I get fired. | 100 | Q. Okay. |
| 14 15 | Q. Okay. And on that day od you touch Mr. Johnson at | 16 | |
| 14 15 16 | | 16 | MS. FAULKNER: Objection, nonresponsive. |
| 14 15 16 17 | Q. Okay. And on that day od you touch Mr. Johnson at | 1000 | MS. FAULKNER: Objection, nonresponsive. Q. (BY MS. FAULKNER) You're saying that Mr. Johnson |
| 14 15 16 17 | Q. Okay. And on that day od you touch Mr. Johnson at all? | 17 | |
| 14 15 16 17 18 | Q. Okay. And on that day od you touch Mr. Johnson at all? A. No. | 17 18 | Q. (BY MS. FAULKNER) You're saying that Mr. Johnson |
| 14 15 16 17 18 19 | Q. Okay. And on that day of you touch Mr. Johnson at all? A. No. Q. Okay. And if there is a witness that says you did | 17 18 19 | Q. (BY MS. FAULKNER) You're saying that Mr. Johnson came within five or six inches of your body? |
| 14 15 16 17 18 19 20 | Q. Okay. And on that day and you touch Mr. Johnson at all? A. No. Q. Okay. And if there is a witness that says you did touch Mr. Johnson, that witness would be wrong and you would | 17 18 19 20 | Q. (BY MS. FAULKNER) You're saying that Mr. Johnson came within five or six inches of your body? A. Right. |
| 14 15 16 17 18 19 20 21 | Q. Okay. And on that day old you touch Mr. Johnson at all? A. No. Q. Okay. And it there is a witness that says you did touch Mr. Johnson that witness would be wrong and you would be right? | 17 18 19 20 21 | Q. (BY MS. FAULKNER) You're saying that Mr. Johnson came within five or six inches of your body? A. Right. Q. Okay. And at that point, that's when you pushed |
| 14 15 16 17 18 19 20 21 22 23 24 | Q. Okay. And on that day od you touch Mr. Johnson at all? A. No. Q. Okay. And it there is a witness that says you did touch Mr. Johnson, that witness would be wrong and you would be right? MR. BEGLEY: Objection, form. | 17 18 19 20 21 22 | Q. (BY MS. FAULKNER) You're saying that Mr. Johnson came within five or six inches of your body? A. Right. Q. Okay. And at that point, that's when you pushed him away? |

12 (Pages 42 to 45)

Case 4:23-cv-02823 Document 34-1 Filed on 01/22/25 in TXSD Page 617 of 718 Q. Okay. When you pushed him, did his body move? Q. Okay. When you pushed Mr. Johnson and he's on the ı é A. I don't know. I didn't hurt him. 2 ground, did you call the police at that moment? 3 Q. Okay. The push that you gave him -3 MR. BEGLEY: Objection, form. A. Was a light push. A. Objection. No. Q. Okay. Did it cause his body to move? 5 Q. (BY MS. FAULKNER) You didn't call the police? 6 A. He moved out of the way slowly. Q. Okay. All right, Q. Okay. After Mr. Johnson was on the ground, what And did Mr. - what happened to his body when you 8 did you do next? 9 pushed him? 9 A. I called the manager. A. I just - he moved out of the way. 20 15 Q. Called which manager? Q. Okay. Did he fall to the ground? 11 A. I called Jesse. Then he called Tammy. 12 A. I didn't cause him to fall to the ground. Sorry, 12 Q. With your site phone? but if he got hurt - he fell to the ground, but I didn't 13 A. I went inside. They see but there. 14 cause it. 14 Q. Oh, you went inside? 13 Q. Okay. 15 A. Yean 16 A. I didn't cause it. 16 Q. And you called him on what? You used what to call 17 MS. FAULKNER: Objection, nonresponsive. 17 him? 18 Q. (BY MS. FAULKNER) Did he fall to the ground when A. At the descripe called them right quick. They 18 19 you pushed him? 19 have stuff to all them. 20 A. He fell to the ground, yeah. 20 Q. At what desk? 21 Q. Okay. And do you know whether or not he sustained 21 A. I sawjesse. So, that's who I went and got. 22 any injuries as a result of the push and his fall? Q. Wovou saw him with your - visibly? 23 MR. BEGLEY: Objection, form. Wah. 23 $A_{i,c}$ 24 24 Q. Dkay. Where was Jesse? Q. (BY MS. FAULKNER) You don't know? 25 He was right in from of the store, inside the Page 47 Page 49 2 A. Huh-uh. store, right in front of the store. Q. Was the police called? Q. Okay. He was right inside in the front? A. Yeah, the police came. 3 A. Right. Q. Who called the police? Q. So, you went to him? 5 A. H-E-B called the police. A. Right. Q. And you didn't call the police? Okay. And where was Tammy at the time? A. They called the police. A. She was probably sitting in the office, but then 8 Q. Okay. How did H-E-B know to call the police? When they called her. She came down. 9 you said "they called the police," you're talking about 9 Q. You didn't call her. Somebody else did? 10 H-E-B? 10 A. The manager went and got her. 11 A. H-E-B called the police. They know to call the Q. Jesse? 11 12 police when something going on. A. Yeah. 12 13 Q. Okav. 13 Q. He left you and went to get Tammy? 14 A. And that's through me. They know to call the 24 A. Right. 1.5 police. 25 Q. Okay. And where was Mr. Johnson when you went 16 Q. Because you told them? 16 inside? 17 A. Yeah. They called the police. A. Mr. Johnson was on the ground, but he wasn't hurt. 18 Q. Okay. 18 Q. Okay. Mr. Johnson was still laying on the ground? A. They decided to can be police during all this -19 19 A. Yeah. in a situation like that. 20 20 Q. Okay. And who called - at what point was the 21 Q. Okay. You told someone at H-E-B to call the 21 police called? 22 22 A. The police was called maybe about two or three 23 A. They was outside. When he was laying down, they 23 minutes after. 24 called the police and called the ambulance. But he wasn't 24 Q. Okay. And which person called the police? 25 25 A. I don't know which one called them. Probably Jesse

13 (Pages 46 to 49)

| | Page 50 | | Page 52 |
|--|--|----------------|--|
| 1 | or Tammy called them. | 1 | Q. For anything? |
| 2 | Q. Can you use your site phone to call the police? | 2 | A. Yeah. They need to know what's going on on their |
| 3 | A. I can call, yeah, if it's an emergency. | 3 | property. |
| 4 | Q. Okay. And you could have used your site phone to | 4 | Q. Okay. So, Mr. Johnson is on the ground. You're |
| 5 | call the police yourself; right? | .5 | inside the store talking to the managers. And Tammy is the |
| 6 | A. Yeah, I could have called them myself. | 6 | one you said called the police? |
| 7 | Q. Okay. And nothing was preventing you from calling | 7 | MR. BEGLEY: Objection, form. |
| 8 | the police; is that right? | 8 | A. Objection, I don't know which one called. The |
| 9 | A. Right. | 19 | manager was out there in two minutes. It wasn't a long time |
| 10 | Q. Okay. And it's part of your training that you can | 10 | or nothing like that. He wasn't hurt. |
| 11 | use your site phone to call law enforcement; right? | 11 | Q. (BY MS. FAULKNES) Who was out there? |
| 12 | A. Right. | 12 | A. I came right back out there. |
| 13 | Q. But you didn't do it that day? | 13 | Q. You said the manager? |
| 14 | A. I let H-E-B handle it. They have more authority | 14 | A. The managers came out there. |
| 15 | than I have. | 15 | Q. Both? |
| 16 | Q. Okay. But you can use your site phone to call the | 16 | A. Jesse came with me. |
| 17 | police? | 17 | Q. Okay. Both Jesse and Tammy came? |
| 18 | A. Yeah, I can use the site phone. I wasn't trying to | 18 | A. No. Specime later. |
| 19 | hide nothing. If I had to, I could call. That's not a | 19 | Q. (Kay) So, the only person that came out first was |
| 20 | problem. | 20 | Jesse? |
| 21 | Q. Okay. But you didn't? | 21 | A Communication of the Communi |
| 22 | A. I didn't call. | 22 | Okay. Then Tammy came later? |
| 23 | Q. Okay. | 23 | Right |
| 24 | A. They took care of that. | 24 | Q. How much time passed before you and Jesse got back |
| 25 | Q. Okay. And instead of calling the police, you went | 250 | over to Mr. Johnson? |
| П | Page 51 | | Page 53 |
| 1 | inside, though? | () | Maybe about a minute. |
| 2 | A. We report to the managers first. We have to report | 2 | Q. About a minute. Okay. |
| 3 | to the managers first. They need to know what's going | .3 | And how long - how much time passed before Tammy |
| 4 | outside. | 4 | walked outside? |
| 5 | Q. Sure. And if it's a - even if it's a | .5 | A. I can't remember. |
| 6 | life-threatening situation, you call the managers first? | 6 | Q. Was it a long time, a short time? |
| 7 | MR. BEGLEY: Objection, form. | 7 | A. It wasn't a long time. |
| 8 | A. They still need to know what's goitteen | 18 | Q. Okay. And Mr. Johnson was still on the ground? |
| 9 | Q. (BY MS. FAULKNER) Right. Okay. But if it's a | 9 | A. Yeah, he's still on the ground. |
| 10 | life-threatening situation, your training tells you to call | 10 | Q. Okay. And when the police arrived - do you know |
| 11 | the managers or the police - | 11 | how much time passed from the time that Mr. Johnson was or |
| 12 | A No. | 12 | the ground after you pushed him and the police arrived? |
| 13 | MR, BEGLEY: Objection, form. | 13 | MR. BEGLEY: Objection, form. |
| 14 | Q. – first? | 14 | A. Objection. I didn't push him. Okay? Don't you |
| 15 | A. No. A life-threatening situation, I have to | 15 | forget that. |
| - | protect myself. | 16 | Q. (BY MS. FAULKNER) Now, you just told me - |
| | Q. Okay. So, if a life threatening situation comes | 17 | A. I didn't |
| 16 17 | up, are you trained as all the managers first instead of the | 18 | Q. — you said you — |
| 16 17 | mbi me hon named of free me minimbers mor morem or me | 19 | A. I pushed him to protect myself, but I didn't push |
| 16 17 18 | police? | 2.5 | |
| 16 17 18 19 | 3.0 | 20 | him down. |
| 16 17 18 19 20 | police? | 3.3 | him down. Q. Right. Regardless of what happened |
| 16 17 18 19 20 21 | police? A. I call the parice. Anything that goes on at H-E-B, | 20 | Q. Right. Regardless of what happened — A. Okay. |
| 16 17 18 19 20 21 | A. I call the police. Anything that goes on at H-E-B, my training is to call the managers first. | 20 21 | Q. Right. Regardless of what happened A. Okay. Q you still pushed him. Am I right? |
| 16 17 18 19 20 21 22 | A. I call the parice. Anything that goes on at H-E-B, my training is to call the managers first. Q. Okay. It's not to call law enforcement? | 20 21 22 | Q. Right. Regardless of what happened — A. Okay. |

14 (Pages 50 to 53)

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|---|--|--|
| | Page : | 54 Page 5 |
| 1 | I didn't push him hard. | 1 rather - scratch that. |
| 2 | Q. Okay. But you still pushed him? | Are you trained to look for any kind of medical |
| 3 | A. I didn't push him. | 3 conditions for people that you have to approach or to notice |
| 4 | Q. Light or hard, soft or hard, you still pushed him? | any kind of medical conditions that a person may have? |
| 5 | A. It was soft. | 5 A. Well, when I look at a nerson, I kind of see his |
| 6 | Okay. And how much time passed between the tim | ne 6 condition, how he is. But I'm not - you know, I'm always |
| 7 | Mr. Johnson was on the ground and the police arrived? | 7 trying to see how a person look and how they carry theirself |
| 8 | A. 1 can't remember. | B Q. Okay. And you said that you can tell when a |
| 9 | Q. Okay. Was it a long time? | 9 person — |
| 10 | A. No. | 10 A. Yeah, kind of. |
| 11 | Q. Okay. All right. | 11 Q. You can tell a person's medical condition? |
| 12 | When the police arrived, did they also arrive with | 12 A. Yeah, a lot of time |
| 13 | the ambulance? | Q. Okay. Could you tell, it you look at a person. |
| 1.4 | No. They arrived by theirself. | 14 that they are suffering from leve say, a migraine? |
| 1.5 | Q. Just the police? | 1.5 A. I can't tell that. Most of the time they'll say |
| 16 | A. Yeah. | 16 their head hurt |
| 17 | Q. Okay. And who called for an ambulance? | 17 Q. Right. So, you couldn't tell if a person is having |
| 18 | I don't know who called. | 18 a migraine? |
| 19 | Q. Okay. How much time passed after the police | 19 A. Right. |
| 20 | arrived did the ambulance arrive on the scene? | 20 Q. Okay. Ard, so, in your training – this is what, |
| 21 | A. It wasn't that long. | Complete and so the sound of the second |
| 22 | Q. It wasn't that long. Okay, | 21 your training You got this from your training or this is 22 just you goonally? |
| 23 | Do you know how many ambulances arrived that day | y? 23 A. We me personally. |
| 24 | A. One. | Q Day. From your training, what training did you |
| 25 | Q. Just one ambulance? | 25 receive to determine whether or not a person may be sufferin |
| | Page 5 | 55 |
| 1 | A. Yesh. | |
| 2 | | from some type of medical or mental disability? |
| | | |
| | Q. Okay. And do you know whether or not they attende to Mr. Johnson? | ed A. Well, you have to really look at a person, how they |
| 3 | to Mr. Johnson? | A. Well, you have to really look at a person, how they look and suffer from a medical condition. You can't - |
| 3 4 | to Mr. Johnson? A. Yezh, they looked at him; but there wasn't nothing | A. Well, you have to really look at a person, how they look and suffer from a medical condition. You can't – people can look normal, and they can be sick. |
| 3 4 5 | to Mr. Johnson? A. Yezh, they looked at him; but there wasn't nothing wrong with him. They made him get up on the stretcher. | A. Well, you have to really look at a person, how they look and suffer from a medical condition. You can't – people can look normal, and they can be sick. 5. Q. Sure. Did you get that from your training? |
| 3 4 5 6 | A. Yezh, they looked at him; but there wasn't nothing wrong with him. They made him get up on the stretcher. Q. Okay. Are you an EMT? | A. Well, you have to really look at a person, how they look and suffer from a medical condition. You can't – people can look normal, and they can be sick. 5 Q. Sure. Did you get that from your training? 6 A. No. |
| 3 4 5 6 7 | to Mr. Johnson? A. Yezh, they looked at him; but there wasn't nothing wrong with him. They made him get up on the stretcher. Q. Okay. Are you an EMT? A. No. | A. Well, you have to really look at a person, how they look and suffer from a medical condition. You can't – people can look normal, and they can be sick. 5. Q. Sure. Did you get that from your training? 6. A. No. 7. Q. Okay. Did you get any training on that? |
| 3 4 5 6 7 8 | to Mr. Johnson? A. Yezh, they looked at him; but there wasn't nothing wrong with him. They made him get up on the stretcher. Q. Okay. Are you an EMT? A. No. Q. Okay. Do you have any medical training? | A. Well, you have to really look at a person, how they look and suffer from a medical condition. You can't — people can look normal, and they can be sick. Q. Sure. Did you get that from your training? A. No. Q. Okay. Did you get any training on that? A. Not as I know. No, not to my knowledge. |
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| 3 4 5 6 7 8 9 10 | to Mr. Johnson? A. Yezh, they looked at him; but there wasn't nothing wrong with him. They made him get up on the stretcher. Q. Okay. Are you an EMT? A. No. Q. Okay. Do you have any medical training? A. No. Q. Any medical knowledge? A. I know a little bit. | A. Well, you have to really look at a person, how they look and suffer from a medical condition. You can't — people can look normal, and they can be sick. 5. Q. Sure. Did you get that from your training? 6. A. No. 7. Q. Okay. Did you get any training on that? 8. A. Not as I know. No, not to my knowledge. 9. Okay. Allied didn't give you any training — 10. A. Right. 11. Q. — on how to approach a person if — |
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15 (Pages 54 to 57)

| | Page 58 | | Page 60 |
|--|---|--|---|
| 1 | MR. BEGLEY: Let her finish the question | 1 | people. I went to him carefully. I went to him nicely. I |
| 2 | before you respond. All right? | 2 | went to him mannerly. |
| 3 | THE WITNESS: All right. | 3 | Q. What did Allied tell you to look for in your |
| 4 | Q. (BY MS. FAULKNER) In your training, describe for | 4. | training to see whether or not a person may be suffering from |
| 5 | the jury how Allied told you to carefully approach a person. | 5 | any medical or mental disability? |
| 6 | A. You have to approach a person real slow. You can't | 6 | A. I couldn't tell if he was suffering a mental |
| 7 | approach them fast. You got to approach them slow, see what | 7 | condition. |
| 8 | condition they're in, what they're up to. You can't go there | 8 | Q. You said you could or could not? |
| 9 | fast. You have to approach them real slow. | 9 | A. I could not tell. |
| 10 | Q. Okay. So, do they tell you what you need to say to | 10 | O. You could not tell? |
| 17 | that person? | 33 | A. I could not tell. |
| 12 | A. Right, they teach you that. | 12 | Q. Were you trained to for something? |
| 13 | Q. Okay. What do you need to say to a person? When | 13 | A. Well, I was trained a fook for something that's |
| 14 | you approached Mr. Johnson at that time, when Mike told you | 14 | suspicious. |
| 15 | to ask him to leave, what training did you use to approach | 15 | Q. What does the vaining tell you to look for? |
| 16 | Mr. Johnson as far as the wording? | 16 | A. Look for something that's suspicious. That's it. |
| 17 | A. Well, when I approached him, I said, "Sir, you need | 17 | Q. What is supicious? |
| 18 | to leave the premises. They want you to leave." | 18 | A. How son is behaving. |
| 19 | Q. Okay. | 19 | Q. Okay.) He was sitting in a chair? |
| 20 | A. But he didn't respond like that. He got up | 20 | A. Yeah. |
| 21 | cussing, saying MF's, all kind of words. | 21 | Q. You didn't see him panhandling; right? |
| 22 | Q. Okay. What training did you have in order to tell | 22 | 10 I saw him panhandle before when I came - when I |
| 23 | Mr. Johnson - or to notice whether or not Mr. Johnson had | 23 | was soming to work. |
| 24 | any kind of medical or mental disability? He was already | 24 | O. Okay. You just said you saw Mr in your earlier |
| 25 | sitting in a chair. He's an elderly gentleman. | 250 | Pestimony – |
| _ | | | Ÿ |
| Ų | Page 59 | | Page 63 |
| 1 | A. Right. | | Page 6: A. Yeah. He was in that chair, but — |
| 2 | A. Right. Q. What training did you activate in order to approach | | Page 6: A. Yeah. He was in that chair, but — MR. BEGLEY: Hold on. |
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16 (Pages 58 to 61)

17 (Pages 62 to 65)

old man. I wouldn't do that. I just slightly pushed him

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A. Okay.

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|--|--|---|
| | Page 66 | Page 6 |
| 1 | away. That's all. | 1 much force to use and how much force not to use? |
| 2 | Q. Okay. In your training manual, does it tell you to | 2 MR. BEGLEY: Objection, form. |
| 3 | touch the people who you are confronting? | 3 A. I ain't going to say that and get into all that. |
| 4 | MR. BEGLEY: Objection, form. | 4 Q. (BY MS. FAULKNER) I'm sorry? |
| 5 | A. I ain't going to answer that question. Because I | 5 A. I ain't going to answer that. |
| 6 | don't just touch people. I confront them. I don't do that, | Q. Okay. You have to answer, Mr. Brown. |
| 7 | Q. (BY MS. FAULKNER) Does the training manual tell | 7 A. I mean, I know how much force to use; but it's |
| 8 | you to touch - | 8 not at all costs we have self-restraint, not to hit |
| 9 | A. If somebody confront you. | 9 nobody. We don't do that unless somebody approach us in a |
| 10 | MR. BEGLEY: Objection, form. | 10 wrong way, unless it's life-threatening. |
| 11 | A. Self-defense. | 2.1 Q. In your training, does the training manual tell you |
| 12 | Q. (BY MS. FAULKNER) I'm sorry. Say it again. | 12 how much force to use against another person? |
| 13 | A. Self-defense. | 13 MR. BEGLEY: Meetion, form. |
| 14 | Q. Okay, You were defending yourself? | 14 A. No. |
| 25 | A. Right. | 15 Q. (BY MS. FAUSCNER) It does not? |
| 16 | Q. Okay. Did Mr. Johnson display a weapon? | 16 MR. BEGAN: Objection, form. |
| 17 | A. I can't remember. I can't remember. | 17 A. No. 53 |
| 18 | O. You don't remember? | 18 Q. (BY MCDAULKNER) Okay. When you get the training |
| 19 | A. I don't remember. | 19 manual, devoy have to sign off that you received it? |
| 20 | Q. Did you tell the police officer about a weapon? | 20 A. Right. |
| 21 | A. I didn't tell them about nothing. I didn't tell | Q. And that means that you received it, you've |
| 22 | the police officer nothing. | |
| 23 | Q. Say it again. | 22 read to 1 read it. |
| 24 | A. No, ma'am. | 24 Q: And you understood it? |
| 25 | Q. Okay. And, so, did you see a weapon on | 25 A. Right. |
| | Page 67 | Page 6 |
| 1 | Mr. Johnson? | Q. Okay. And you did receive a training manual? |
| 2 | A. I can't remember. | 2 A. Right. |
| 3 | Q. Can't remember. Okay. | 3 Q. And you did sign off that you've read it and you |
| 4 | Did Mr. Johnson tell you he had a weapon? | 4 understood what it is |
| 5 | A. He didn't tell me that. | 5 A. Yes, ma'am. |
| 6 | Q. Okay. And you didn't see one? | 6 Q what you're to do? |
| 7 | A. I can't remember. | 7 A. Yes. |
| 8 | Q. Can't remember. Okay. | 8 Q. Okay. But it doesn't tell you how much force to |
| 9 | Do you know whether or not the police and you | 9 use? |
| 10 | see the police take a weapon from Mr. Johnson) | 10 MR. BEGLEY: Objection, form. |
| 11 | A. I didn't see them take nothing from him. | 11 A. No. |
| 12 | Q. Okay. And in your training, the Salifferent | 12 Q. (BY MS. FAULKNER) Okay. Does it tell you to |
| 13 | levels of training that you have as far approaching | 13 different levels, give you any idea of the different levels |
| 14 | someone that H-E-B - | 14 of force to use? |
| 15 | A. Right. | 15 MR. BEGLEY: Objection, form. |
| 16 | Q would tell you was One ing a problem; is that | 16 A. It tells, but you can't be too everything is |
| | right? | 17 mostly self-restraint, unless your life – |
| 17 | A. Right. | 18 Q. (BY MS. FAULKNER) It's what now? |
| | Q. Okay, And are you trained on the use of force? | A. Most of the things are self-restraint, unless it's |
| 18 | | 20 life-threatening. |
| 18 | A. We're not trained on use of force, no. | |
| 18 19 20 | We're not trained on use of force; no. You're not trained on use of force? | |
| 18 19 20 21 | Q. You're not rained on use of force? | Q. Okay. Most of what things? |
| 18 19 20 21 22 | Q. You're not trained on use of force? A. Right. | Q. Okay. Most of what things? A. Self-restraint, unless somebody threaten you or |
| 17 18 19 20 21 22 23 24 | Q. You're not rained on use of force? | Q. Okay. Most of what things? |

18 (Pages 66 to 69)

19 (Pages 70 to 73)

| | Page 74 | | Page 7 |
|----|---|----|--|
| 1 | MR. BEGLEY: Answer the question one more | 1 | A. No. |
| 2 | time. Go ahead. | 2 | MR. BEGLEY: Objection, form. |
| 3 | Q. (BY MS. FAULKNER) What specific mental signs were | 3 | A. No. |
| 4 | you trained to look for in a person that you approached while | 4 | Q. (BY MS, FAULKNER) Do you have any information to |
| 5 | working for Allied Protection [sic] - | 5 | give the jury to show that his broken hip was not caused by |
| 6 | MR. BEGLEY: Objection, form. | 6 | you? |
| 7 | Q. — or Allied Universal? | 7 | MR. BEGLEY: Objection, form. |
| 8 | A. If a person acting strange or how they're carrying | 8 | A. No. |
| 9 | theirself when you watch and see them or how they - | 9 | Q. (BY MS. FAULKNER) Okay, And I think you stated |
| LO | Q. No particular name? | 10 | earlier that when you did touch or push Mr. Johnson, he did |
| 1 | MR. BEGLEY: Wait. Let him finish the | 11 | fall to the ground? |
| 2 | answer. | 12 | A. No. |
| 3 | Q. (BY MS. FAULKNER) No particular name? | 13 | MR. BEGLEY Crection, form. |
| 14 | MR. BEGLEY: Hold on. Stop. | 14 | A. No. |
| 15 | Finish your answer. | 15 | Q. (BY MS. FARMENER) He did not fall down? |
| 16 | Q. (BY MS. FAULKNER) Were you finished, Mr. Brown? | 16 | A. He didn't full sown. I wish we would have had the |
| 17 | A. I'm through. | 17 | camera. This would be over. |
| 18 | | 18 | Q. Okay Co earlier you said he fell to the ground |
| | Q. Okay. But no particular name? | 19 | and you went hack inside to get the manager. |
| 19 | A. No. | 20 | A. Right, because he did – because he did it hisself. |
| 20 | Q. Okay. How about physical disabilities? | | |
| 21 | Well, I can tell somebody with a physical | 21 | Q. Cay. But he did fall to the ground? |
| 22 | disability. You can see that just about, the way they act | 22 | But I didn't do it. He did it hisself. |
| 23 | and the way they carry theirself. | 23 | Okay. You're saying your push didn't do it? |
| 24 | Q. You didn't see any | 24 | No. |
| 25 | A. I noticed no signs, no, ma'am. | | Q. But he fell down? |
| П | Page 75 | | Page 7 |
| 1 | Q. Okay. All right. | | A. Right. |
| 2 | And when Mr. Johnson was on the ground, did you ask | 2 | Q. Okay. And when he - are you aware that he was |
| 3 | him whether or not — scratch that. | 3 | suffering from any kind of - he had any kind of medical |
| 4 | When Mr. Johnson was on the ground, did you ask him | 4 | issues? |
| 5 | whether or not he was injured? | 5 | A. No, I was not aware. |
| 6 | A. I asked him. | 6 | Q. Okay. Do you know a person by the name of Captain |
| 7 | Q. And he answered you? | 7 | Alex I think it's Warneke? |
| 8 | A. He talked like he was hurt, but he was to the | В | A. No. |
| 9 | Q. He did what now? | 9 | Q. Do you know any of the EMTs and the medical |
| 10 | A. He said he was hurt, but he wasn't hurt. He told | 10 | personnel that arrived on the scene? |
| 11 | me when he was on the ground, ma'am, he was going to sue | 11 | A. No, ma'am. |
| 32 | H-E-B. | 12 | Q. Okay. |
| 13 | Q. He said he was going to such B? | 13 | (Shawn Johnson is present) |
| 14 | | 14 | Q. And are you trained to consider a person's size |
| 15 | A. Right. | 15 | before you approach them or what you may have to do when |
| | Q. Okay. And I think you said he said he was hurt? | 16 | approaching them? |
| 16 | A. That's what he said. | 17 | A. I try to consider any person, how they act and what |
| 17 | Q. That's what he said | V | |
| 18 | A. Yeah. | 18 | they do. As far as their size, yeah. Yes, ma'am, their size |
| 19 | Q. Okay. But was re saying he wasn't hurt? | 19 | or whatever, you know. |
| 20 | A. No. | 20 | Q. Okay. How about their age? |
| 21 | Q. Okay, If Mr if evidence shows that Mr. Johnson | 21 | A. Yeah. |
| | suffered a broken hip, would you consider that an injury? | 22 | Q. Okay. And how about their relative strength – |
| 22 | | 23 | MR. BEGLEY: Objection, form. |
| 22 | A. That's an injury. | 23 | A STATE OF THE PARTY OF THE PAR |
| | A. That's an injury. Q. Okay. And would you say that that was caused by | 24 | Q. – the strength of a person? MR. BEGLEY: Same objection. |

20 (Pages 74 to 77)

21 (Pages 78 to 81)

| | Page 82 | | Page 8 |
|---|---|--|--|
| 1 | the reporting mandatory or is it voluntary? | 1 | Ella. |
| 2 | A. It's mandatory to report. | 2 | Q. Oh, Ella Boulevard? |
| 3 | Q. Okay, But you didn't? | 3 | A. Right. |
| 4 | A. I have nothing to hide, ma'am. | 4 | Q. Okay. And that's where your district or |
| 5 | Q. Right. But you said you forgot that day? | 5 | reporting |
| 6 | A. I forgot. That's all. | 6 | A. Right. |
| 7 | Q. Okay. And when you touched Mr. Johnson, did you | 7 | Q office is |
| 8 | have to make any drawings or sketches or anything? Were you | 8 | A. Right. |
| 9 | required to do that? | 9 | Q for Allied Universal? |
| 10 | A. No, ma'am. | 10 | A. Right. We branched in. Universal Protection and |
| 11 | Q. Okay. And do you know whether or not any | 11 | Allied branched in together |
| 12 | investigation was done of this incident by Allied? | 12 | Q. Okay, And, so, the |
| 13 | A. I don't know. | 13 | A. Right. |
| 14 | Q. Okay. Did you request one? | 14 | Q. It's just one location on - |
| 15 | A. They didn't ask me to request. They didn't ask me | 15 | A. Right. |
| 16 | to request. | 16 | Q 610 and you said 610 North and Ella |
| 17 | Q. Okay. And nobody at Allied did one on their own, | 17 | Boulevard? |
| 18 | to your knowledge? | 18 | A. Right |
| 19 | A. No. | 19 | Q. Okay. And the branch manager over there is who |
| 20 | Q. Okay. And do you know who your branch manager was | 20 | A. I don't know who the branch manager is now. |
| 21 | at the time? | 21 | Qe Dkay. |
| 22 | A. Her name Shree. | 22 | I don't know who is the branch manager. |
| 23 | Q. Shree? | 23 | Have you met the person after - did you ever mee |
| 24 | A. Yeah, Shree. I think her name Shree Ross. | 24 | the person after Shree Ross left? |
| 25 | Q. Spell "Shree" for me. Do you know how to spell it? | (D) | A. Never met them. |
| | Page 83 | | Page 8 |
| 1 | A. It's S-h-r-e-e. | | Q. And your branch the branch manager at the time |
| 2 | Q. S-h-r-e-e? | 2 | you said was Sherise? Is it Sherise or Shree? |
| 3 | A. Yeah, Shree. She's not there no more. | 3 | A. Shree. |
| 4 | Q. It's a lady? | 4 | O. S-h-a-r-e-e? |
| 5 | A. A lady, yeah. | 5 | A. Right. |
| 6 | Q. Okay. And what was her last name? | 6 | Q. Okay. And you still work for H-E-B? |
| | ((// | | The state of the s |
| 7 | A. 1 think Ross. | 7 | A. Right. |
| -0 | A. I think Ross. O. R-o-s-£? | 7 8 | A. Right. MR. BEGLEY: Objection, form. |
| 7 B | Q. R-o-s-s? | 8 | MR. BEGLEY: Objection, form. |
| 7 B 9 | Q. R-o-s-s? A. Right. | 8 | MR. BEGLEY: Objection, form. Q. (BY MS. FAULKNER) I'm sorry. You still work for |
| 7 B 9 | Q. R-o-s-s? A. Right. Q. She was a branch manager? | 8 9 10 | MR. BEGLEY: Objection, form. Q. (BY MS. FAULKNER) I'm sorry. You still work for Allied Universal? |
| 7 B 9 10 | Q. R-o-s-s? A. Right. Q. She was a branch manager? A. Right. | 8 9 10 11 | MR. BEGLEY: Objection, form. Q. (BY MS. FAULKNER) I'm sorry. You still work for Allied Universal? A. Right. |
| 7 8 9 10 11 | Q. R-o-s-s? A. Right. Q. She was a branch manager? A. Right. Q. Where was her office? Do know where she was | 8 9 10 11 12 | MR. BEGLEY: Objection, form. Q. (BY MS. FAULKNER) I'm sorry. You still work for Allied Universal? A. Right. Q. Okay. And you still work at H-E-B for Allied |
| 7 B 9 10 11 12 | Q. R-o-s-s? A. Right. Q. She was a branch manager? A. Right. Q. Where was her office? Do on know where she was located? | 8 9 10 11 12 13 | MR. BEGLEY: Objection, form. Q. (BY MS. FAULKNER) I'm sorry. You still work for Allied Universal? A. Right. Q. Okay. And you still work at H-E-B for Allied Universal? |
| 7 B 9 10 11 12 13 | Q. R-o-s-s? A. Right. Q. She was a branch manager? A. Right. Q. Where was her office? Do know where she was | 8 9 10 11 12 | MR. BEGLEY: Objection, form. Q. (BY MS. FAULKNER) I'm sorry. You still work for Allied Universal? A. Right. Q. Okay. And you still work at H-E-B for Allied Universal? A. Right. |
| 7 8 9 10 11 12 13 14 | Q. R-o-s-s? A. Right. Q. She was a branch manager? A. Right. Q. Where was her office? Do on know where she was located? A. She was at Wilcrest. We was on Dairy Ashford and Wilcrest at that time. | 8 9 10 11 12 13 14 | MR. BEGLEY: Objection, form. Q. (BY MS. FAULKNER) I'm sorry. You still work for Allied Universal? A. Right. Q. Okay. And you still work at H-E-B for Allied Universal? A. Right. Q. Okay. And was any discipline - did you face any |
| 7 8 9 10 11 12 13 14 15 | Q. R-o-s-s? A. Right. Q. She was a branch manager? A. Right. Q. Where was her office? Do on know where she was located? A. She was at Wilcrest. We was on Dairy Ashford and Wilcrest at that time. Q. That's where Allie Ones located? | 8 9 10 11 12 13 14 | MR. BEGLEY: Objection, form. Q. (BY MS. FAULKNER) I'm sorry. You still work for Allied Universal? A. Right. Q. Okay. And you still work at H-E-B for Allied Universal? A. Right. Q. Okay. And was any discipline — did you face any discipline procedures as a result of this incident? |
| 7 8 9 10 11 12 13 14 15 16 | Q. R-o-s-s? A. Right. Q. She was a branch manager? A. Right. Q. Where was her office? Do on know where she was located? A. She was at Wilcrest. We was on Dairy Ashford and Wilcrest at that time. Q. That's where Alice was located? A. That's where Line was located. | 8 9 10 11 12 13 14 15 | MR. BEGLEY: Objection, form. Q. (BY MS. FAULKNER) I'm sorry. You still work for Allied Universal? A. Right. Q. Okay. And you still work at H-E-B for Allied Universal? A. Right. Q. Okay. And was any discipline did you face any discipline procedures as a result of this incident? A. No, ma'am. |
| 7 8 9 10 11 12 13 14 15 16 17 | Q. R-o-s-s? A. Right. Q. She was a branch manager? A. Right. Q. Where was her office? Do to know where she was located? A. She was at Wilcrest. We was on Dairy Ashford and Wilcrest at that time. Q. That's where Alkied that located? A. That's where Universal Protection was located. Q. Okay. Is it as there? | 8 9 10 11 12 13 14 15 16 17 | MR. BEGLEY: Objection, form. Q. (BY MS. FAULKNER) I'm sorry. You still work for Allied Universal? A. Right. Q. Okay. And you still work at H-E-B for Allied Universal? A. Right. Q. Okay. And was any discipline — did you face any discipline procedures as a result of this incident? A. No, ma'am. Q. Okay. Is there a — if you need to report the use |
| 7 8 9 10 11 12 13 14 15 16 17 18 | Q. R-o-s-s? A. Right. Q. She was a branch manager? A. Right. Q. Where was her office? Do (a) know where she was located? A. She was at Wilcrest. We was on Dairy Ashford and Wilcrest at that time. Q. That's where Alkied (as located? A. That's where Luft or sal Protection was located. Q. Okay. Is it was there? A. No. | 8 9 10 11 12 13 14 15 16 17 18 | MR. BEGLEY: Objection, form. Q. (BY MS. FAULKNER) I'm sorry. You still work for Allied Universal? A. Right. Q. Okay. And you still work at H-E-B for Allied Universal? A. Right. Q. Okay. And was any discipline — did you face any discipline procedures as a result of this incident? A. No, ma'am. Q. Okay. Is there a — if you need to report the use of force or any incident to Allied, do they give you a form |
| 7 B 9 10 11 12 13 14 15 16 17 18 19 20 | Q. R-o-s-s? A. Right. Q. She was a branch manager? A. Right. Q. Where was her office? Do on know where she was located? A. She was at Wilcrest. We was on Dairy Ashford and Wilcrest at that time. Q. That's where Alised ones located? A. That's where Universal Protection was located. Q. Okay. Is it will here? A. No. Q. Okay. When there on the day of this incident? | 8 9 10 11 12 13 14 15 16 17 18 19 20 | MR. BEGLEY: Objection, form. Q. (BY MS. FAULKNER) I'm sorry. You still work to Allied Universal? A. Right. Q. Okay. And you still work at H-E-B for Allied Universal? A. Right. Q. Okay. And was any discipline — did you face any discipline procedures as a result of this incident? A. No, ma'am. Q. Okay. Is there a — if you need to report the use of force or any incident to Allied, do they give you a form or you have to just write it on a piece of — any blank piece |
| 7 B 9 10 11 12 13 14 15 16 17 18 19 20 21 | Q. R-o-s-s? A. Right. Q. She was a branch manager? A. Right. Q. Where was her office? Do on know where she was located? A. She was at Wilcrest. We was on Dairy Ashford and Wilcrest at that time. Q. That's where Allied was located? A. That's where Universal Protection was located. Q. Okay. Is it was there? A. No. Q. Okay. Was at there on the day of this incident? A. Right, it was there on that day. | 8 9 10 11 12 13 14 15 16 17 18 19 20 21 | MR. BEGLEY: Objection, form. Q. (BY MS. FAULKNER) I'm sorry. You still work for Allied Universal? A. Right. Q. Okay. And you still work at H-E-B for Allied Universal? A. Right. Q. Okay. And was any discipline — did you face any discipline procedures as a result of this incident? A. No, ma'am. Q. Okay. Is there a — if you need to report the use of force or any incident to Allied, do they give you a form or you have to just write it on a piece of — any blank piece of paper or anything? |
| 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 | Q. R-o-s-s? A. Right. Q. She was a branch manager? A. Right. Q. Where was her office? Do on know where she was located? A. She was at Wilcrest. We was on Dairy Ashford and Wilcrest at that time. Q. That's where Alkied was located? A. That's where Universal Protection was located. Q. Okay. Is it was there? A. No. Q. Okay. When there on the day of this incident? A. Right it was there on that day. Q. Okay. But they have since moved? | 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 | MR. BEGLEY: Objection, form. Q. (BY MS. FAULKNER) I'm sorry. You still work for Allied Universal? A. Right. Q. Okay. And you still work at H-E-B for Allied Universal? A. Right. Q. Okay. And was any discipline did you face any discipline procedures as a result of this incident? A. No, ma'am. Q. Okay. Is there a if you need to report the use of force or any incident to Allied, do they give you a form or you have to just write it on a piece of any blank piece of paper or anything? A. We report it to the supervisor, and they will |
| 7 B 9 10 11 12 13 14 15 16 17 18 19 20 | Q. R-o-s-s? A. Right. Q. She was a branch manager? A. Right. Q. Where was her office? Do on know where she was located? A. She was at Wilcrest. We was on Dairy Ashford and Wilcrest at that time. Q. That's where Allied was located? A. That's where Universal Protection was located. Q. Okay. Is it was there? A. No. Q. Okay. Was at there on the day of this incident? A. Right, it was there on that day. | 8 9 10 11 12 13 14 15 16 17 18 19 20 21 | MR. BEGLEY: Objection, form. Q. (BY MS. FAULKNER) I'm sorry. You still work for Allied Universal? A. Right. Q. Okay. And you still work at H-E-B for Allied Universal? A. Right. Q. Okay. And was any discipline — did you face any discipline procedures as a result of this incident? A. No, ma'am. Q. Okay. Is there a — if you need to report the use of force or any incident to Allied, do they give you a form or you have to just write it on a piece of — any blank piece of paper or anything? |

22 (Pages 82 to 85)

23 [Pages 86 to 89]

| | Page 90 | - | Page 92 |
|---|---|--|---|
| 9 | | 4.1 | |
| 1 | A. No, because wasn't nothing going on till after | 1 | Q. Okay. And when they spoke with some of the |
| 2 | then, | 2 | managers, did they direct them to speak with you, to your |
| 3 | Q. Okay. But your training tells you to go to the | 3 | knowledge? |
| 4 | manager first? | 4 | A. No. |
| 5 | A. If something wrong. | 5 | Q. Okay. And was Mr do you know if Mr. Johnson |
| 6 | MR. BEGLEY: Objection, form. | 6 | was taken to a hospital? |
| 7 | Q. (BY MS. FAULKNER) Okay. Now, according to your | 7 | A. They had to carry him to a hospital. When he got |
| 8 | petition, your answer that you filed in the court, do you | 8 | on the thing, they carried him to the hospital. |
| 9 | want to tell the jury what acts or omissions that other | 9 | Q. They did? |
| 10 | persons or other parties caused Mr. Johnson? | 10 | A. Yeah, |
| 11 | A. I don't want to tell them nothing. | 11 | Q. Do you know which have tall they took him to? |
| 12 | Q. Okay. So, are there any acts or omissions that | 12 | A. I don't know. |
| 13 | Mr. Johnson did → | 13 | Q. Okay. And you think have to go, did you? |
| 14 | MR. BEGLEY: Objection, form. | 14 | A. No, ma'am. |
| 1.5 | Q. — other than being on the premises? | 15 | Q. Okay. Do yas know a Mr. Vernon Logan? |
| 1.6 | MR. BEGLEY: Same objection. | 16 | A. I don't know ar. Vernon Logan. I might know him if |
| 17 | A. I ain't going to say much on that. I'll take care | 17 | I see him, but a set of people I can't remember. |
| 18 | of that when that time come up. | 18 | Q. Okay Od you ever speak to anybody who was a |
| 19 | Q. (BY MS. FAULKNER) No. I'm asking you now under | 19 | witness or say what went on out there? |
| 20 | oath. | 20 | A. Liddin't speak to none of them. |
| 21 | A. He took some bad action. It wasn't me. | 21 | Q. You didn't speak to anybody else? |
| 22 | Q. What actions did he take? | 22 | ONO. |
| 23 | A. He was cussing, carrying on. He came and walked up | 23 | And you said you spoke to the police officers, |
| 24 | straight to me. Q. Okay. | 24 | A. I spoke to one police officer. |
| | T. C. | | |
| | Page 91 | | Page 93 |
| 1 | A. He walked straight, and he didn't have to get that | \$\begin{align*} \tag{1} \tag{1} \tag{1} | Q. Okay. Do you know whether or not that would have |
| 2 | close. And really I would have got out of the way, but I | 2 | been Mr, Crenshaw? |
| 3 | didn't see him. I just had to turn around, and he came | 3 | I couldn't tell you for sure. I don't know. |
| 4 | towards me. | 4 | Q. Okay. Do you know how many officers arrived? Do |
| 5 | Q. Okay. And what did he fail to do? What did he | 5 | you remember? |
| 6 | omit to do? | 6 | A. I couldn't remember, ma'am. |
| 7 | All he had to do was leave the parking lot That's | 7 | Q. Okay. And did you have to sign anything for the |
| | all he had to do. | 8 | Police Department? |
| 3 | Q. Okay. And according to you, he did not do it? | 9 | A. No, ma'am. |
| 90 9 | The same of the same of the same of the same in the | - | |
| 9 | A. He did not do it. | 10 | |
| 9 | | 1000 | Q. Okay, And you were never charged with any offense A. No, ma'am. |
| 9 10 11 | A. He did not do it. | 10 | Q. Okay, And you were never charged with any offense |
| 9 10 11 12 | A. He did not do it. Q. Okay. Now, Mr. Brown — A. Yes, ma'am. Q. — are you familiar with an Officer Crenshaw? | 10 11 | Q. Okay, And you were never charged with any offense A. No, ma'am. Q. Okay. So, needless to say you were not taken to court for this? |
| 9 10 11 12 13 | A. He did not do it. Q. Okay. Now, Mr. Brown — A. Yes, ma'am. Q. — are you familiar with an Officer Crenshaw? A. I ain't familiar with note of them guys that came | 10 11 12 13 14 | Q. Okay. And you were never charged with any offense A. No, ma'am. Q. Okay. So, needless to say you were not taken to court for this? A. No, ma'am. |
| 9 10 11 12 13 14 | A. He did not do it. Q. Okay. Now, Mr. Brown — A. Yes, ma'am. Q. — are you familiar with an Officer Crenshaw? A. I ain't familiar with note of them guys that came out there. | 10 11 12 13 14 15 | Q. Okay, And you were never charged with any offense A. No, ma'am. Q. Okay. So, needless to say you were not taken to court for this? A. No, ma'am. Q. Okay. And did the officer file a report, to your |
| 9 10 11 12 13 14 15 | A. He did not do it. Q. Okay. Now, Mr. Brown — A. Yes, ma'am. Q. — are you familiar with an Officer Crenshaw? A. I ain't familiar with none of them guys that came out there. Q. None of the EMTs of police officers who responded? | 10 11 12 13 14 15 16 | Q. Okay, And you were never charged with any offense. A. No, ma'arn. Q. Okay. So, needless to say you were not taken to court for this? A. No, ma'arn. Q. Okay. And did the officer file a report, to your knowledge? |
| 9 10 11 12 13 14 15 16 | A. He did not do it. Q. Okay. Now, Mr. Brown — A. Yes, ma'am. Q. — are you familiar with an Officer Crenshaw? A. I ain't familiar with none of them guys that came out there. Q. None of the EMTs of police officers who responded? A. No. | 10 11 12 13 14 15 16 | Q. Okay, And you were never charged with any offense. A. No, ma'am. Q. Okay. So, needless to say you were not taken to court for this? A. No, ma'am. Q. Okay. And did the officer file a report, to your knowledge? A. I can't remember. |
| 9 10 11 12 13 14 15 16 | A. He did not do it. Q. Okay. Now, Mr. Brown — A. Yes, ma'am. Q. — are you familiar with an Officer Crenshaw? A. I ain't familiar with none of them guys that came out there. Q. None of the EMTs of police officers who responded? A. No. Q. Okay. Did you speak with the EMTs or the | 10 11 12 13 14 15 16 17 | Q. Okay, And you were never charged with any offense. A. No, ma'am. Q. Okay. So, needless to say you were not taken to court for this? A. No, ma'am. Q. Okay. And did the officer file a report, to your knowledge? A. I can't remember. Q. Okay. Did you get a case number? |
| 9 10 11 12 13 14 15 16 17 18 | A. He did not do it. Q. Okay. Now, Mr. Brown — A. Yes, ma'am. Q. — are you familiar with an Officer Crenshaw? A. I ain't familiar with note of them guys that came out there. Q. None of the EMTs of police officers who responded? A. No. Q. Okay. Did you speak with the EMTs or the paramedics when the arrived there? | 10 11 12 13 14 15 16 17 18 | Q. Okay, And you were never charged with any offense. A. No, ma'am. Q. Okay. So, needless to say you were not taken to court for this? A. No, ma'am. Q. Okay. And did the officer file a report, to your knowledge? A. I can't remember. Q. Okay. Did you get a case number? A. No, ma'am. |
| 9 10 11 12 13 14 15 16 17 18 | A. He did not do it. Q. Okay. Now, Mr. Brown — A. Yes, ma'am. Q. — are you familiar with an Officer Crenshaw? A. I ain't familiar with none of them guys that came out there. Q. None of the EMTs of police officers who responded? A. No. Q. Okay. Did you speak with the EMTs or the paramedics when the arrived there? A. No. | 10 11 12 13 14 15 16 17 18 19 20 | Q. Okay, And you were never charged with any offense A. No, ma'am. Q. Okay. So, needless to say you were not taken to court for this? A. No, ma'am. Q. Okay. And did the officer file a report, to your knowledge? A. I can't remember. Q. Okay. Did you get a case number? A. No, ma'am. Q. You did not? |
| 9 20 11 12 13 14 15 16 17 18 19 20 21 | A. He did not do it. Q. Okay. Now, Mr. Brown — A. Yes, ma'am. Q. — are you familiar with an Officer Crenshaw? A. I ain't familiar with none of them guys that came out there. Q. None of the EMTs of police officers who responded? A. No. Q. Okay. Did you speak with the EMTs or the paramedics when the arrived there? A. No. Q. Did pot? | 10 11 12 13 14 15 16 17 18 19 20 21 | Q. Okay. And you were never charged with any offense A. No, ma'am. Q. Okay. So, needless to say you were not taken to court for this? A. No, ma'am. Q. Okay. And did the officer file a report, to your knowledge? A. I can't remember. Q. Okay. Did you get a case number? A. No, ma'am. Q. You did not? A. I can't remember. I might have, but I can't |
| 9 110 111 112 113 114 115 116 117 118 119 20 21 22 | A. He did not do it. Q. Okay. Now, Mr. Brown — A. Yes, ma'am. Q. — are you familiar with an Officer Crenshaw? A. I ain't familiar with note of them guys that came out there. Q. None of the EMTs of police officers who responded? A. No. Q. Okay. Did you speak with the EMTs or the paramedics when the arrived there? A. No. Q. Did pot? A. No. They did what they had to do. | 10 11 12 13 14 15 16 17 18 19 20 21 | Q. Okay. And you were never charged with any offense A. No, ma'am. Q. Okay. So, needless to say you were not taken to court for this? A. No, ma'am. Q. Okay. And did the officer file a report, to your knowledge? A. I can't remember. Q. Okay. Did you get a case number? A. No, ma'am. Q. You did not? A. I can't remember. I might have, but I can't remember. |
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| 9 10 11 12 13 14 15 16 17 18 19 20 | A. He did not do it. Q. Okay. Now, Mr. Brown — A. Yes, ma'am. Q. — are you familiar with an Officer Crenshaw? A. I ain't familiar with note of them guys that came out there. Q. None of the EMTs of police officers who responded? A. No. Q. Okay. Did you speak with the EMTs or the paramedics when the arrived there? A. No. Q. Did pot? A. No. They did what they had to do. | 10 11 12 13 14 15 16 17 18 19 20 21 | Q. Okay, And you were never charged with any offense. A. No, ma'am. Q. Okay. So, needless to say you were not taken to court for this? A. No, ma'am. Q. Okay. And did the officer file a report, to your knowledge? A. I can't remember. Q. Okay. Did you get a case number? A. No, ma'am. Q. You did not? A. I can't remember. I might have, but I can't remember. |

24 (Pages 90 to 93)

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|----|---|----------------|--|
| | Page 94 | 1 | Page 9 |
| 1 | A. No, ma'am. | 1 | Q. Okny. And I see you have certificates here. |
| 2 | Q. And do you know a Dr. Fitzgibbons? | 2 | A. Yeah |
| 3 | A. No, ma'am. | 3 | Q. Were these certificates because you completed those |
| 4 | Q. Do you know a John Ortiz? | 4 | courses? |
| 5 | A. No, ma'am. | 5 | A. Some of the courses, yeah. And some for being a |
| 6 | Q. Jeff Poncini? | 6 | faithful worker. |
| 7 | A. No, ma'am. | 7 | Q. Okay. All right. |
| 8 | Q. Benjamin Galloway? | 8 | And did you get them for - you said being at work? |
| 9 | A. No, ma'am, | 9 | A. Being a faithful worker, not in rouble, not giving |
| 10 | Q. Macario Garcia? | 10 | problems to the MICs at H-E-B and all that, not a problem |
| 11 | A. No, ma'am. | 11 | officer. |
| 12 | Q. Michael Orosco? | 1.2 | Q. Okay. Have you ever had any commendations from any |
| 13 | A. No, ma'am. | 13 | C11510111=75? |
| 14 | Q. Do you know Dr. Adrian Zaharia? | 1.4 | A. What do you mean by "nommendations"? |
| 15 | A. No, ma'am. | 15 | Q. Any glowing reviews or any positive words? |
| 16 | Q. Do you know a Dr. Moon Choo? | 16 | A. Yeah. A lot of them tell me that. |
| 17 | A. No, ma'am. | 17 | Q. Any - |
| 18 | Q. How about a Dr. William Harvin? | 18 | A. Customers and they're glad to see me. I've got |
| 19 | A. No, ma'am. | 19 | quite a few of them say, "How ya doing, Calvin? How's it |
| 20 | Q. Dr. Kumar Anushree? | 20 | going?" Yeah |
| 21 | A. No, ma'am. | 21 | Q. Okac Did they ever write your employer? |
| 22 | Q. Dr. Hasan Gokal? | 22 | A. 1 Coldn't tell you none of that. |
| 23 | A. No, ma'am. | 23 | Q. Cay, And if they did, you don't know it? |
| 24 | Q. A Dr. Wayne Modovan? | 24 | A ma'am. |
| 25 | A. No, ma'am. | 25 | Oloay. |
| | | (| |
| | Page 95 | | Page 97 |
| 1 | Q. A Dr. Lin? | 120 | A. No, ma'am, I don't know. |
| 2 | A. No, ma'am. | (S) | Q. And are you - does the State of Texas have to |
| 3 | Q. A Dr. Heidi Matus? | | license you to become a security officer? |
| 4 | A. No, ma'am. | | A. Yes, ma'am. |
| 5 | Q. How about a Dr. Samani? | 5 | Q. Okay. And how long have you held that license? |
| 6 | A. No, ma'am. | 6 | A 1997 A 45 |
| 7 | Q. Do you know any treating physicians that - anyone | 3 | A. That license go for at least two years. Okay. And you have to renew it? |
| 9 | who treated Mr. Johnson for any injuries? | 8 | A. Yes, ma'am. |
| 9 | A. Not one of them. | 9 | Q. Okay. Do you know, what's the cost of renewal? |
| 0 | Q. Okay. Did you ever speak to Mr. Johnson to see | 10 | |
| 1 | whether or not he, in fact, was injured? | 11 | A. I don't know. My company take care of that. Q. Okay. |
| 12 | A. I never did see if he was injured. When they | 12 | A. They take care of that. |
| 3 | carried him on the ambulance, that's the last thing I | 13 | |
| 4 | remember. That's it. | 14 | Q. Because you're licensed through the company? A. Right. |
| 5 | Q. Okay. Did you say anything to Mr. Johnson as he | 15 | |
| 6 | was being carried in the - put in the ambulance? | 16 | Q. Okay. If you're going to be a security officer, |
| 7 | A. I didn't say nothing to may but, "I'm sorry." | 17 | you have to be licensed through the company? |
| 8 | Q. You told him you seeme sorry? | 18 | A. Yes, ma'am. |
| 9 | A. Yeah. | | Q. Okay. And is your renewal up soon? |
| 0 | Q. Okay. And did respond to that or was he taken | 19 | A. No. I've got another year. |
| 1 | off in the ambulance | 20 | Q. Another year. Because you said every two years? |
| | | 21 | A. Right. |
| 2 | A. He left in the ambulance, ma'am. | 22 | Q. Okay. And with incidents like this, do you have to |
| | C) Olem And did the surfed and the | 45.5 | the state of the s |
| 3 | Q. Okay. And did the ambulance drivers ever speak to | 23 | report them to the State of Texas? |
| | Q. Okay. And did the ambulance drivers ever speak to you about anything? A. No, ma'am. | 23 24 25 | report them to the State of Texas? A. No. Q. Okay. You said you do not? |

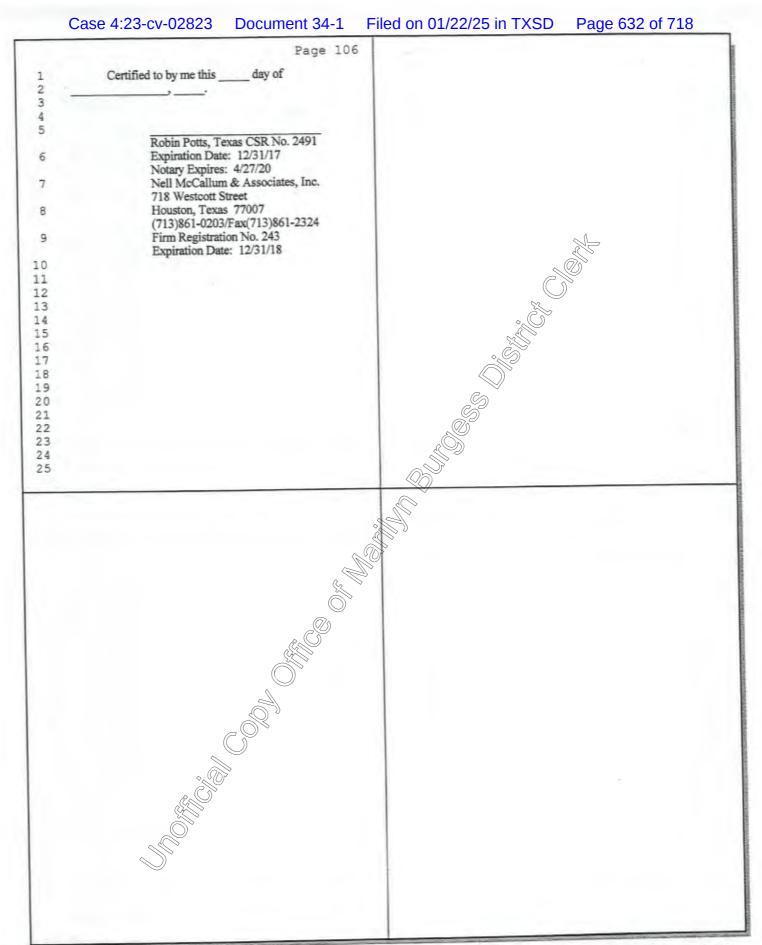
25 (Pages 94 to 97)

| | Page 98 | | Page 100 |
|----|---|----------------|--|
| 1 | A. The only person might report it - we don't, unless | 1 | A. That had to happen around 2016, last year around |
| 2 | the company do it, but I don't. | 2 | October. |
| 3 | Q. Okay. You don't report it personally? | 3 | Q. Okay. All right. |
| 4 | A. No. | 4 | And you were their employee? |
| 5 | Q. Okay. And the address of the location, that is | 5 | A. Right. |
| 6 | 11815 Westheimer Road; is that correct? | 6 | Q. And you get a check that says it comes from them? |
| 7 | A. Right. Yes, ma'am, that's it. | 7 | A. Yeah, now. |
| 8 | Q. And is your shift still 4:00 to midnight? | 8 | Q. Okay. Have you understood all my questions today? |
| 9 | A. Yes, ma'am. | 9 | A. Yes, ma'am. |
| 10 | Q. And do you - are you involved in any other | 10 | Q. Okay. Have you answered them fully? |
| 11 | lawsuits currently? | 11 | A. Yes, ma'am. |
| 12 | A. No, ma'am. | 12 | Q. Okay. Would your answers be the same in a court at |
| 13 | Q. Have you ever been sued? | 13 | a trial of this case as the were today? |
| 14 | A. No, ma'am. | 1.4 | A. Yes, ma'am. |
| 15 | (Anki Johnson is not present) | 15 | Q. Okay. All right, |
| 16 | Q. And you have never sued anybody? | 16 | Anything elso ou want to put on the record for the |
| 17 | A. No, ma'am. I don't do that. I'm better than that. | 17 | jury? |
| 18 | Q. Okay. And you said the only medication you're on | 18 | A. No. of Com. |
| 19 | was for hypertension? | 19 | 0. 0 |
| 20 | A. High blood pressure. | 20 | MS. FAULKNER: Pass the witness. |
| 21 | Q. High blood pressure. Okay. | 21 | MR. BEGLEY; We'll reserve our questions for |
| 22 | And you were on it on October 19th at the time of | 22 | in A |
| 23 | this incident? | 23 | (Deposition concluded at 11:44 a.m.) |
| 24 | A. Yeah. I take it in the mornings. | 24 | |
| 25 | Q. Okay. And you weren't taking any other medication? | 25 | |
| - | Page 99 | | Page 101 |
| 1 | | | CHANGES AND SIGNATURE |
| 2 | A. No, ma'am. Q. Okay. And had you had anything to eat before | | WITNESS NAME: CALVIN BROWN |
| 3 | you and to drink before you reported to duty that day? | 3 | DATE: OCTOBER 11, 2017 |
| 4 | A. Yes, ma'am. | 2 | PAGE LINE CHANGE REASON |
| 5 | Q. Okay. Do you drink alcohol? | 4 | THOSE SHEET STATE OF THE SHEET S |
| 6 | A. No. I'm a Christian. Don't do that. | 6 | |
| 7 | Q. Okay. And Mr. Johnson didn't cause you chave any | 7 | |
| 8 | injuries, did he? | 8 | |
| 9 | A. No, ma'am. | 9 | |
| 10 | | 10 | |
| 11 | Q. Okay. And other than your attorney have you | 170 | |
| 12 | spoken with anybody else about this case? A. No. | 11 | |
| | | 12 | |
| 13 | Q. And have you made did we give any recorded | 13 | |
| 15 | statements to anyone? A. No. | 14 | |
| | | 100 | |
| 16 | Q. How about any written statements? A. No. | 16 | |
| 18 | | 17 | |
| 19 | 3.() | 18 | |
| 20 | you were acting as employee for Allied Universal? A. Universal Protection. | 19 | LOW MUNICIPALITY AND A STATE OF THE STATE OF |
| 21 | | 20 | L CALVIN BROWN, have read the foregoing deposition and |
| | | 21 | hereby affix my signature that same is true and correct, |
| | Right. It's the same company now, though. | -22 | except as noted above. |
| 22 | O Pour It amain | | |
| 23 | Q. Say it again. | 23 | |
| | Q. Say it again. A. It's still the same company. Q. When did Allied take over Universal Protection? | 23 24 25 | CALVIN BROWN |

26 (Pages 98 to 101)

| 2 COUNTY OF | lloner Ida R. Faulkiner South, Saite 900 |
|--|--|
| 2 COUNTY OF | information given to the time said testimony was taken, the elifor all parties of record: The lines like Faulkner South, South South 500 |
| 2 COUNTY OF | ince said testimony was taken, the el for all parties of record: F: liner ide R. Faulkner South, Saite 500 |
| Before me, | el for all parties of record: Tr. Nover Ido R. Faulkiner South, Saite 500 |
| personally appeared CALVIN BROWN, known to me (or proved to me under oath or through) (description of learning to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed. FOR THE PLAINTIFF | Roser de R. Faulkiner South, Saine 900 |
| 5 me under oath or through | Roser de R. Faulkiner South, Saine 900 |
| identity eard or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office this day of day of 1 | de R. Faulkner South, Saine 500 01 |
| 7 is subscribed to the foregoing instrument and acknowledged to 8 me that they executed the same for the purposes and 9 consideration therein expressed. 10 Given under my hand and seal of office this | South, Saine 900 01 |
| me that they executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office this day of | 01 |
| 9 consideration therein expressed. 9 FOR THE DEFENDA 10 Given under my hand and seal of office this 12 Mr. Kip Patterson 11 day of 12 601 Sawyer Street. | |
| 10 Given under my hand and seal of office this 11 Mr. Kip Patterson 11 day of Haker & Patterson 12 11 601 Sawyer Street | MT HER CROCERY COMPANY |
| 11 day of Hake and seal of orace this Hake & Patterson 12 | THE OROCERT COMPANY, LP |
| 12 601 Sawyer Street | |
| 12 | A |
| | V. — |
| 13 Houston, TX, 770 | |
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| 15 The State of Texas 14 Mr. Manthew R. B. | |
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| Page 103 | Page 105 |
| Page 103 CAUSE NO. 2016-20704 ANKI JOHNSON (HEIR OF) IN THE DISTRICT COURT ROBERT (OUNSON) | rage 103 |
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| 2 ANKI JOHNSON (HEIR OF) IN THE DISTRICT COURT 3 ROBERT JOHNSON). | |
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| | ell McCallum & Associates, Inc. |
| | 8 Westcott Street |
| | suston, Texas 77007 |
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| | is the deposition officer's |
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27 (Pages 102 to 105)



28 (Page 106)

Exhibit 14

Allied emails concerning Twana Ahmed's reports of discrimination and harassment

From: Oliver, Wayne on behalf of Oliver, Wayne < Wayne.Oliver@aus.com>

To: <u>Freeney, Patrick</u>
Subject: couple of cases

Date: Wednesday, June 1, 2022 10:56:00 AM

Good morning Patrick,

Please send me all information you have on Twana Ahmed. Also, please provide the job responsibilities for Nathan Hernandez, Frankie, Patrick Parham, and Maurico and the site where they are located?

Thanks,

Wayne Oliver Jr.

Regional HR Representative

Allied Universal

2424 Wilcrest Dr. | Suite 200 | Houston, TX 77042 C: 281-729-7121 | F: I <u>wayne.oliver@aus.com</u> <u>www.AUS.com</u> TX License C15802

From: Oliver, Wayne on behalf of Oliver, Wayne < Wayne.Oliver@aus.com>

To: Freeney, Patrick
Subject: case 36184, 36149

Date: Friday, June 3, 2022 9:43:21 AM

Good morning Patrick,

Emailed you Wednesday and following up about the Twana Ahmed hotline complaint and the anonymous complaint involving your supervisors.

Thanks,

Wayne Oliver Jr.

Regional HR Representative

Allied Universal

2424 Wilcrest Dr. | Suite 200 | Houston, TX 77042 C: 281-729-7121 | F: I <u>wayne.oliver@aus.com</u>

www.AUS.com TX License C15802

Please include the navex attachment.

Kareem McKinnon

Regional Vice President

Allied Universal

C: 832.687.9248 | kareem.mckinnon@aus.com

License # C15802

From: Oliver, Wayne < <u>Wayne.Oliver@aus.com</u>>

Sent: Friday, June 3, 2022 2:06 PM

To: McKinnon, Kareem < <u>Kareem.McKinnon@aus.com</u>> **Cc:** Alyea, Katherine < <u>Katherine.Alyea@aus.com</u>>

Subject: case information and paperwork for 36149, 36184

Good afternoon Kareem,

I have reached out to Patrick a couple of times on paperwork and statement on Twana Ahmed and a statement on an anonymous complaint on Nathan Hernandez, Frankie, Patrick Parham, and Maurico. Any help with this would be greatly appreciated.

Thanks,

Wayne Oliver Jr.

Regional HR Representative

Allied Universal

2424 Wilcrest Dr. | Suite 200 | Houston, TX 77042 C: 281-729-7121 | F: I <u>wayne.oliver@aus.com</u> www.AUS.com TX License C15802

From: Freeney, Patrick on behalf of Freeney, Patrick < Patrick. Freeney@aus.com>

To: McKinnon, Kareem

Subject: RE: case information and paperwork for 36149, 36184

Date: Friday, June 3, 2022 3:03:36 PM

Attachments: <u>image001.png</u>

Working it, Kareem.

Patrick

From: McKinnon, Kareem < Kareem. McKinnon@aus.com >

Sent: Friday, June 3, 2022 2:56 PM

To: Freeney, Patrick < Patrick. Freeney@aus.com>

Subject: FW: case information and paperwork for 36149, 36184

Patrick,

Please jump on this.

Kareem McKinnon

Regional Vice President

Allied Universal

C: 832.687.9248 | kareem.mckinnon@aus.com

License # C15802

From: Oliver, Wayne < <u>Wayne.Oliver@aus.com</u>>

Sent: Friday, June 3, 2022 2:48 PM

To: McKinnon, Kareem < <u>Kareem.McKinnon@aus.com</u>> **Cc:** Alyea, Katherine < <u>Katherine.Alyea@aus.com</u>>

Subject: RE: case information and paperwork for 36149, 36184

Here you go sir.

Thanks,

Wayne Oliver Jr.

Regional HR Rep 281-729-7121



WORK SAFE. LIVE SAFE. BE SAFE.

From: McKinnon, Kareem < <u>Kareem.McKinnon@aus.com</u>>

Sent: Friday, June 3, 2022 2:45 PM

To: Oliver, Wayne < <u>Wayne.Oliver@aus.com</u>> **Cc:** Alyea, Katherine < <u>Katherine.Alyea@aus.com</u>>

Subject: RE: case information and paperwork for 36149, 36184

From: Freeney, Patrick on behalf of Freeney, Patrick < Patrick. Freeney@aus.com>

To: Oliver, Wayne

Cc: McKinnon, Kareem; Gaussen, Matthew

RE: case information and paperwork for 36149, 36184 Subject:

Date: Saturday, June 4, 2022 3:26:03 PM Attachments:

case 36149.doc.htm image001.png image002.png

Gentlemen,

In reference to the attachment, I acknowledge the decision of delegating SOME responsibility in producing a forward schedule for the Elite Program to the subordinate Field Supervisors. No abuse of authority or mismanagement of personnel was ever accomplished in this endeavor, nor have I conducted any of my duties behind the backs of my senior staff. I have brought my concerns of the lack of proficient practices as it pertains to certain duty functions to the attention of the General Manager, the Director of Operations and the Regional Vice President. I saw better ways to run the Elite Program, and was allowed to do so with positive remarks from my senior leadership.

I make no apologies for my decisions, and believe the program can run even more efficient with adjustments to particular routines in leadership roles.

If there are any questions or concerns regarding the response given, please don't hesitate to contact me using the information provided below.

Thanks in advance!

Patrick G. Freeney

Elite Client Manager for HEB/Houston **Allied Universal Security Services**

11811 North Freeway| Suite 810 | Houston, TX 77060

C: 762.524.1023 | patrick.freeney@aus.com

License number: C15802

Apply by phone! Text: Allied to 86754

There for our veterans https://jobs.aus.com/veterans

www.AUS.com



HE>i

From: McKinnon, Kareem < Kareem. McKinnon@aus.com>

Sent: Friday, June 3, 2022 2:56 PM

To: Freeney, Patrick < Patrick. Freeney@aus.com>

Subject: FW: case information and paperwork for 36149, 36184

Patrick,

Alyea, Katherine on behalf of Alyea, Katherine < Katherine. Alyea@aus.com>

To: Subject:

Oliver, Wayne
RE: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

Monday, June 6, 2022 11:56:17 AM Date:

image003.png image001.png

Did he provide you the termination paperwork?

Katherine Alyea PHR, SHRM-CP

Senior Regional HR Manager 713-321-0086

WORK SAFE. LIVE SAFE. BE SAFE.

From: Oliver, Wayne < Wayne. Oliver@aus.com> Sent: Monday, June 6, 2022 11:51 AM To: Alvea, Katherine < Katherine, Alvea@aus.com>

Subject: FW: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

Wavne Oliver Jr. Regional HR Rep 281-729-7121

WORK SAFE. LIVE SAFE. BE SAFE.

From: Freeney, Patrick < Patrick.Freeney@aus.com>

Sent: Saturday, June 4, 2022 1:47 PM

To: Oliver, Wayne < Wayne. Oliver@aus.com >

Cc: McKinnon, Kareem < Kareem.McKinnon@aus.com >; Gaussen, Matthew < Matthew.Gaussen@aus.com >

Subject: FW: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

ALCON,

Please see attachments.

Twana Ahmed was never addressed in an inappropriate, unprofessional nor indignant manner by me or anyone on my Supervisory team. We have had verbal counselings when I appeared at a worksite to do meetings with an ALPM, but I have never addressed anyone with racists overtones, or threatened an employee with physical harm or danger to themselves. Furthermore, Twana Ahmed was terminated for the unauthorized detention of a suspected shoplifter regarding an inappropriate UOF incident that took place on 4/4/2022 when he forcefully pushed a suspected shoplifter against the wall PRIOR to leaving the store, applied handcuffs to the individuals' wrists behind his back, and then walked him outside the store to be handed over to the police. Because Ahmed never allowed the subject to actually leave the store, the theft of merchandise never technically took place, and the police were not able to affect an arrest. A Root-Cause Analysis was completed in reference to this incident, and a Panel deemed it appropriate for him to be terminated due to the fact that the actions taken by Ahmed were not authorized nor approved of by any training or instruction during his time with Allied Universal.

If you have any questions, please let me know.

Thanks in advance!

Patrick G. Freeney

Elite Client Manager for HEB/Houston

Allied Universal Security Services

11811 North Freeway| Suite 810 | Houston, TX 77060

C: 762.524.1023 | patrick.freeney@aus.com License number: C15802

Apply by phone! Text: Allied to 86754

There for our veterans https://jobs.aus.com/veterans

www.AUS.com



HF>i

From: Solis-Ramirez, Felicia < Felicia. Solis-Ramirez@aus.com>

Sent: Monday, June 6, 2022 12:04 PM

To: Freeney, Patrick < Patrick.Freeney@aus.com>

Cc: McKinnon, Kareem < ". Alyea, Katherine ". Alyea, Katherine ". Alyea, Katherine.Alyea@aus.com">". Alyea, Katherine.Alyea.aly

Subject: RE: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

Patrick please provide all documentation including write ups on Twana Ahmed.

Thanks,

Wayne Oliver Jr. Regional HR Rep 281-729-7121

WORK SAFE. LIVE SAFE. BE SAFE.

From: Freeney, Patrick < Patrick.Freeney@aus.com>

Sent: Saturday, June 4, 2022 1:47 PM

To: Oliver, Wayne < <u>Wayne.Oliver@aus.com</u>>

Cc: McKinnon, Kareem < Kareem.McKinnon@aus.com >; Gaussen, Matthew < Matthew.Gaussen@aus.com >

Subject: FW: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

ALCON,

Please see attachments.

Twana Ahmed was never addressed in an inappropriate, unprofessional nor indignant manner by me or anyone on my Supervisory team. We have had verbal counselings when I appeared at a worksite to do meetings with an ALPM, but I have never addressed anyone with racists overtones, or threatened an employee with physical harm or danger to themselves. Furthermore, Twana Ahmed was terminated for the unauthorized detention of a suspected shoplifter regarding an inappropriate UOF incident that took place on 4/4/2022 when he forcefully pushed a suspected shoplifter against the wall PRIOR to leaving the store, applied handcuffs to the individuals' wrists behind his back, and then walked him outside the store to be handed over to the police. Because Ahmed never allowed the subject to actually leave the store, the theft of merchandise never technically took place, and the police were not able to affect an arrest. A Root-Cause Analysis was completed in reference to this incident, and a Panel deemed it appropriate for him to be terminated due to the fact that the actions taken by Ahmed were not authorized nor approved of by any training or instruction during his time with Allied Universal.

If you have any questions, please let me know.

Thanks in advance!

Patrick G. Freeney

Elite Client Manager for HEB/Houston Allied Universal Security Services

11811 North Freeway| Suite 810 | Houston, TX 77060 C: 762.524.1023 | patrick.freeney@aus.com

License number: C15802

Apply by phone! Text: Allied to 86754

There for our veterans https://jobs.aus.com/veterans

www.AUS.com



HE>i

From: Solis-Ramirez, Felicia < Felicia.Solis-Ramirez@aus.com >

Sent: Thursday, April 7, 2022 12:39 PM

To: McKinnon, Kareem < Kareem.McKinnon@aus.com>; King, Bill < Bill.King@aus.com>

Cc: Freeney, Patrick < Patrick. Freeney@aus.com >; Westman, Mark < Mark. Westman@aus.com >

Subject: FW: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

Hi HEB Team,

In reviewing the attached and speaking with Patrick, it is my recommendation that the officer be terminated. Here are some highlights from the attached:

- SP signed UoF checkpoint in the field with FS on 2/14/22 (pictured below).
- SP knowingly violated the policy by restraining a shoplifter that was not a threat to the SP or the public.
- SP refused to complete a written statement and did not submit a HeliAUS report following the incident (activity, event or incident).
- SP refused to sign disciplinary counseling.

From: Freeney, Patrick on behalf of Freeney, Patrick < Patrick. Freeney@aus.com>

To: Alyea, Katherine; Oliver, Wayne

McKinnon, Kareem; Gaussen, Matthew RE: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022 Subject:

Monday, June 6, 2022 3:34:15 PM Attachments:

image001.png image002.png image003.jpg image004.png

Hi Katherine,

Alex Bergeron witnessed these counselings. This was approved by Don Massey.

Patrick

From: Alyea, Katherine < Katherine. Alyea@aus.com>

Sent: Monday, June 6, 2022 3:33 PM

To: Freeney, Patrick <Patrick.Freeney@aus.com>; Oliver, Wayne <Wayne.Oliver@aus.com>

Cc: McKinnon, Kareem <Kareem.McKinnon@aus.com>: Gaussen, Matthew <Matthew.Gaussen@aus.com>

Subject: RE: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

Who are the witnesses on both of these documents, I cannot read the signature? Is there a reason as to why they are not typed, were these reviewed by a member of the HR team or Don?

Katherine Alyea PHR, SHRM-CP

Senior Regional HR Manager 713-321-0086

WORK SAFE, LIVE SAFE, BE SAFE,

From: Freeney, Patrick < Patrick.Freeney@aus.com>

Sent: Monday, June 6, 2022 3:29 PM

To: Alyea, Katherine < Katherine.Alyea@aus.com >; Oliver, Wayne < Wayne.Oliver@aus.com >

Cc: McKinnon, Kareem < Kareem.McKinnon@aus.com >; Gaussen, Matthew < Matthew.Gaussen@aus.com >

Subject: RE: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

Hi Katherine.

Please see attached, and let me know if you have any questions.

Patrick

From: Alyea, Katherine < Katherine. Alyea@aus.com>

Sent: Monday, June 6, 2022 2:07 PM

To: Freeney, Patrick < Patrick.Freeney@aus.com>; Oliver, Wayne < Wayne.Oliver@aus.com>

Cc: McKinnon, Kareem < Kareem.McKinnon@aus.com >; Gaussen, Matthew < Matthew.Gaussen@aus.com >

Subject: RE: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

Hello Patrick,

To confirm he was written up, terminated for the UOF violation?

Katherine Alyea PHR, SHRM-CP

Senior Regional HR Manager

713-321-0086



WORK SAFE. LIVE SAFE. BE SAFE.

From: Freeney, Patrick < Patrick.Freeney@aus.com>

Sent: Monday, June 6, 2022 12:41 PM

To: Oliver, Wayne < <u>Wayne.Oliver@aus.com</u>>

Cc: McKinnon, Kareem < Kareem.McKinnon@aus.com >; Gaussen, Matthew.Gaussen@aus.com >; Alyea, Katherine.Katherine.Alyea@aus.com >

Subject: RE: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

Working it. Stand by......

Patrick

From: Oliver, Wayne < Wayne. Oliver@aus.com >

verbal counselings when I appeared at a worksite to do meetings with an ALPM, but I have never addressed anyone with racists overtones, or threatened Twana Ahmed was never addressed in an inappropriate, unprofessional nor indignant manner by me or anyone on my Supervisory team. We have had

Please see attachments.

ALCON,

Subject: FW: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

Cc: McKinnon, Kareem <Kareem.McKinnon@aus.com>; Gaussen, Matthew.Gaussen@aus.com>

To: Oliver, Wayne < Wayne. Oliver@aus.com>

Sent: Saturday, June 4, 2022 1:47 PM

From: Freeney, Patrick < Patrick. Freeney@aus.com>

WORK SAFE. LIVE SAFE. BE SAFE.



1217-927-182 Regional HR Rep Wayne Oliver Jr.

Thanks,

Patrick please provide all documentation including write ups on Twana Ahmed.

Subject: RE: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

Cc: McKinnon, Kareem <Kareem. McKinnon@aus.com>; Gaussen, Matthew <Matthew. Gaussen@aus.com>; Alyea, Katherine. Alyea, Katherine. Alyea, Matther Cc: McKinnon, Kareem <Karherine. Alyea, Matther Cc: McKinnon, Matthew Cc: McKinnon, McKinnon, Matthew Cc: McKinnon, McKinno

To: Freeney, Patrick < Patrick. Freeney@aus.com>

Sent: Monday, June 6, 2022 12:04 PM

From: Oliver, Wayne < Wayne. Oliver@aus.com>

Patrick

Working it. Stand by......

Subject: RE: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

Cc: McKinnon, Kareem < Kareem. McKinnon@aus.com>; Gaussen, Matthew < Matthew. Gaussen@aus.com>; Alyea, Katherine. Alyea, Katherine. Alyea, Katherine. Alyea, Katherine. Alyea, Katherine. Alyea @aus.com>

To: Oliver, Wayne < Wayne. Oliver@aus.com>

Sent: Monday, June 6, 2022 12:41 PM

From: Freeney, Patrick < Patrick. Freeney@aus.com>

WORK SAFE. LIVE SAFE. BE SAFE.



713-321-0086

Senior Regional HR Manager

Katherine Alyea PHR, SHRM-CP

To confirm he was written up, terminated for the UOF violation?

Hello Patrick,

Subject: RE: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

Cc: McKinnon, Kareem <Kareem.McKinnon@aus.com>; Gaussen, Matthew <Matthew.Gaussen@aus.com>

To: Freeney, Patrick <Patrick-Freeney@aus.com>; Oliver, Wayne <Wayne.Oliver@aus.com>

Sent: Monday, June 6, 2022 2:07 PM

From: Alyea, Katherine < Katherine. Alyea@aus.com>

Patrick

for this UOF incident. As soon as I am done with this interview, I'll send the info.

Please pardon my late response, but yes. I've got a total of two counseling's coming your way. One is for a uniform violation back in February. The other is

Hi Katherine,

image001.png image002.png image003.jpg image004.png

Monday, June 6, 2022 2:12:36 PM

Alyea, Katherine; Oliver, Wayne McKinnon, Kareem; Gaussen, Matthew RE: ****Attomey Client Privelidge*** UOF Twana Ahmed 04042022

Subject: :၁၁ :oT From:

Mttachm

Date:

Freeney, Patrick on behalf of Freeney, Patrick <Patrick.Freeney@aus.com>

From: <u>Alyea, Katherine</u> on behalf of <u>Alyea, Katherine <Katherine.Alyea@aus.com></u>

To: <u>Oliver, Wayne</u>
Subject: RE: Twana Ahmed

Date: Monday, June 6, 2022 4:48:46 PM

Attachments: <u>image001.png</u>

You may want to call Alex to see if he can provide a statement as a witness. Call me.

Katherine Alyea PHR, SHRM-CP

Senior Regional HR Manager 713-321-0086



WORK SAFE. LIVE SAFE. BE SAFE.

From: Oliver, Wayne < Wayne. Oliver@aus.com>

Sent: Monday, June 6, 2022 4:41 PM

To: Alyea, Katherine < Katherine. Alyea@aus.com>

Subject: Twana Ahmed

Spoke with Twana and he wants to rehired with Allied. He states he has never seen a write up, and will be sending his statement to my email this evening.

Thanks,

Wayne Oliver Jr.

Regional HR Representative

Allied Universal

2424 Wilcrest Dr. | Suite 200 | Houston, TX 77042 C: 281-729-7121 | F: I wayne.oliver@aus.com www.AUS.com TX License C15802

From: Oliver, Wayne on behalf of Oliver, Wayne < Wayne.Oliver@aus.com>

alexthezander247@gmail.com To:

Subject: FW: signature

Date: Wednesday, June 8, 2022 9:52:46 AM

Attachments: 0937 001.pdf

image001.png

Here you go. Is this your signature on the witness line?

Thanks,

Wayne Oliver Jr.

Regional HR Rep 281-729-7121



WORK SAFE. LIVE SAFE. BE SAFE.

From: Oliver, Wayne

Sent: Tuesday, June 7, 2022 4:47 PM

To: Bergeron, Alexzander < Alexzander. Bergeron@aus.com >

Subject: signature

Hey Alex just reminding you about witness the statement needed. I have attached the two Write ups on Mr. Ahmed, is that your signature on both forms?

Thanks,

Wayne Oliver Jr.

Regional HR Representative

Allied Universal

2424 Wilcrest Dr. | Suite 200 | Houston, TX 77042 C: 281-729-7121 | F: I <u>wayne.oliver@aus.com</u> www.AUS.com TX License C15802

From: <u>Alexzander B</u> on behalf of <u>Alexzander B <alexthezander247@qmail.com></u>

To: Oliver, Wayne
Subject: Re: FW: signature

Date: Wednesday, June 8, 2022 10:16:50 AM

Attachments: <u>image001.png</u>

No sir that is not my signature.

On Wed, Jun 8, 2022 at 9:56 AM Oliver, Wayne < <u>Wayne.Oliver@aus.com</u> > wrote:

Here you go. Is this your signature on the witness line?

Thanks,

Wayne Oliver Jr.

Regional HR Rep

281-729-7121



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From: Oliver, Wayne

Sent: Tuesday, June 7, 2022 4:47 PM

From: Oliver, Wayne on behalf of Oliver, Wayne < Wayne.Oliver@aus.com>

To: <u>alexthezander247@gmail.com</u>

Cc: Alyea, Katherine
Subject: discipline forms

Date: Wednesday, June 8, 2022 1:28:09 PM

Attachments: 0937 001.pdf

On the attached documents on Twana Ahmed are these your signatures as a witness?

Wayne Oliver Jr.

Regional HR Representative

Allied Universal

2424 Wilcrest Dr. | Suite 200 | Houston, TX 77042 C: 281-729-7121 | F: I <u>wayne.oliver@aus.com</u>

www.AUS.com TX License C15802

From: <u>Alexzander B</u> on behalf of <u>Alexzander B <alexthezander247@qmail.com></u>

To: Oliver, Wayne
Cc: Alyea, Katherine
Subject: Re: discipline forms

Date: Wednesday, June 8, 2022 1:33:41 PM

Attachments: IMG 0217.jpg

image 123927839.JPG

No sir this is not my signature. I have never signed any documents that way.

The two signatures i use are as follows.



This is the short form i use.



The long form of my signature is below my picture on my ID.

On Wed, Jun 8, 2022 at 1:28 PM Oliver, Wayne < Wayne.Oliver@aus.com > wrote:

On the attached documents on Twana Ahmed are these your signatures as a witness?

Wayne Oliver Jr.

Regional HR Representative

Allied Universal

2424 Wilcrest Dr. | Suite 200 | Houston, TX 77042

C: 281-729-7121 | F: I <u>wayne.oliver@aus.com</u>

www.AUS.com TX License C15802

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From: Oliver, Wayne on behalf of Oliver, Wayne < Wayne.Oliver@aus.com>

To:

Subject: FW: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022 Thursday, June 9, 2022 3:56:57 PM

Date:

Twana Ahmed UOF 04042022.pdf Root Cause Analysis (Ahmed 04042022).docx

image001.png

Hey he did provide a statement on Twana, check information below. Do you want me to ask more direct questions about the beard and Ramadan and Alex's demotion?

Wayne Oliver Jr. Regional HR Rep

281-729-7121

WORK SAFE. LIVE SAFE. BE SAFE.

From: Freeney, Patrick <Patrick.Freeney@aus.com>

Sent: Saturday, June 4, 2022 1:47 PM

To: Oliver, Wayne < Wayne. Oliver@aus.com>

Cc: McKinnon, Kareem < Kareem. McKinnon@aus.com >; Gaussen, Matthew < Matthew. Gaussen@aus.com >

Subject: FW: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

ALCON,

Please see attachments.

Twana Ahmed was never addressed in an inappropriate, unprofessional nor indignant manner by me or anyone on my Supervisory team. We have had verbal counselings when I appeared at a worksite to do meetings with an ALPM, but I have never addressed anyone with racists overtones, or threatened an employee with physical harm or danger to themselves. Furthermore, Twana Ahmed was terminated for the unauthorized detention of a suspected shoplifter regarding an inappropriate UOF incident that took place on 4/4/2022 when he forcefully pushed a suspected shoplifter against the wall PRIOR to leaving the store, applied handcuffs to the individuals' wrists behind his back, and then walked him outside the store to be handed over to the police. Because Ahmed never allowed the subject to actually leave the store, the theft of merchandise never technically took place, and the police were not able to affect an arrest. A Root-Cause Analysis was completed in reference to this incident, and a Panel deemed it appropriate for him to be terminated due to the fact that the actions taken by Ahmed were not authorized nor approved of by any training or instruction during his time with Allied Universal.

If you have any questions, please let me know.

Thanks in advance!

Patrick G. Freeney

Elite Client Manager for HEB/Houston

Allied Universal Security Services

11811 North Freeway| Suite 810 | Houston, TX 77060

C: 762.524.1023 | patrick.freeney@aus.com

License number: C15802

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www.AUS.com



HE>i

From: Solis-Ramirez, Felicia < Felicia. Solis-Ramirez@aus.com>

Sent: Thursday, April 7, 2022 12:39 PM

To: McKinnon, Kareem < King, Bill < Bill.King@aus.com>

Cc: Freeney, Patrick < Patrick.Freeney@aus.com >; Westman, Mark < Mark.Westman@aus.com >

Subject: FW: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

Hi HEB Team,

In reviewing the attached and speaking with Patrick, it is my recommendation that the officer be terminated. Here are some highlights from the attached:

- SP signed UoF checkpoint in the field with FS on 2/14/22 (pictured below).
- SP knowingly violated the policy by restraining a shoplifter that was not a threat to the SP or the public.
- SP refused to complete a written statement and did not submit a HeliAUS report following the incident (activity, event or incident).
- SP refused to sign disciplinary counseling.

Wana? When was Twana Terminated and when did he turn in his uniform and weapon? you question his service in the military? Did Alex Bergeron get demoted from the UOF incident with beard during Ramadan? And did you have issues with his language barrier and foreign name? Did indignant manner by you or anyone on your supervisory team. Did you question Twana about his In your email you stated Twana Ahmed was never addressed in an inappropriate, unprofessional nor

Wayne, right now, all support staff have left for the day. I will get either Clayton or Kenesha

No apologies necessary Katherine. I understand. I am not certain of any other Supervisor that

Freeney, Patrick on behalf of Freeney, Patrick < Patrick. Freeney@aus.com>

weapon on tomorrow. I will also respond to the specific questions that you asked at that time. to retrieve his weapon turn-in sheet so that I can let you know exactly when he turned in his

Get Outlook for Android

From: Alyea, Katherine < Katherine. Alyea@aus.com>

had a problem with Twana. I certainly didn't.

Thursday, June 9, 2022 5:41:17 PM

Alyea, Katherine; Oliver, Wayne

pnq.1009pemi

Re: case 36184

Sent: Thursday, June 9, 2022 5:23:06 PM

To: Oliver, Wayne < Wayne. Oliver@aus.com>; Freeney, Patrick < Patrick. Freeney@aus.com>

Patrick

Attachments:

Date:

:oT

From:

Subject:

713-321-0086

Subject: RE: case 36184

Hi Patrick,

Thanks, Sorry for the 20 questions, we are trying to address his allegations and close out his complaint. In his hotline complaint he speaks to a general supervisor, do you know who he is referencing?

Senior Regional HR Manager Katherine Alyea PHR, SHRM-CP



MOKK SAFE. LIVE SAFE. BE SAFE.

Sent: Thursday, June 9, 2022 3:59 PM

Cc: Alyea, Katherine < Katherine. Alyea@aus.com> To: Freeney, Patrick <Patrick.Freeney@aus.com>

From: Oliver, Wayne < Wayne. Oliver@aus.com>

Subject: case 36184

<u>Alyea, Katherine</u> on behalf of <u>Alyea, Katherine <Katherine.Alyea@aus.com></u> From:

Oliver, Wayne To: Subject: RE: case 36184

Date: Thursday, June 9, 2022 4:12:48 PM

Attachments: image001.png

That's a whole lot of questions..

Katherine Alyea PHR, SHRM-CP

Senior Regional HR Manager 713-321-0086



WORK SAFE. LIVE SAFE. BE SAFE.

From: Oliver, Wayne < Wayne. Oliver@aus.com>

Sent: Thursday, June 9, 2022 3:59 PM

To: Freeney, Patrick < Patrick. Freeney@aus.com> Cc: Alyea, Katherine <Katherine.Alyea@aus.com>

Subject: case 36184

Afternoon Patrick,

In your email you stated Twana Ahmed was never addressed in an inappropriate, unprofessional nor indignant manner by you or anyone on your supervisory team. Did you question Twana about his beard during Ramadan? And did you have issues with his language barrier and foreign name? Did you question his service in the military? Did Alex Bergeron get demoted from the UOF incident with Twana? When was Twana Terminated and when did he turn in his uniform and weapon?

Please advise

Wayne Oliver Jr.

Regional HR Representative

Allied Universal

2424 Wilcrest Dr. | Suite 200 | Houston, TX 77042 C: 281-729-7121 | F: I <u>wayne.oliver@aus.com</u>

www.AUS.com TX License C15802

WORK SAFE. LIVE SAFE. BE SAFE.

From: Freeney, Patrick on behalf of Freeney, Patrick < Patrick. Freeney@aus.com>

 To:
 Oliver, Wayne

 Cc:
 Alyea, Katherine

 Subject:
 RE: case 36184

Date: Friday, June 10, 2022 11:35:16 AM

Attachments: <u>image001.png</u>

Hi Wayne,

NO conversation was ever had about Twana's beard during Ramadan with him. There was never a scheduling conflict that he ever presented to me concerning his religion that would have provoked a conversation of the sort. During all of my conversations with Twana, there was never any confusion pertaining to his use of the English language, nor did I have an issue with his foreign name. There was never any reason to question his military service....this topic never came up during any of my conversations with him. Finally, Alex Bergeron was not demoted from this UOF incident, and Twana Ahmed is, nor was, in any position to take an active roll in the decision to have Alex returned to the field as a Security Professional. Twana Ahmed was terminated upon the completion of a Root Cause Analysis and a Review Panel where all members agreed upon his association with Allied Universal on April 4, 2022. He turned in his weapon on April 6, 2022.

Thanks in advance!

Patrick G. Freeney

Elite Client Manager for HEB/Houston

Allied Universal Security Services

11811 North Freeway Suite 810 | Houston, TX 77060

C: 762.524.1023 | patrick.freeney@aus.com

License number: C15802

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www.AUS.com



HE>i

From: Oliver, Wayne < Wayne. Oliver@aus.com>

Sent: Thursday, June 9, 2022 3:59 PM

To: Freeney, Patrick <Patrick.Freeney@aus.com> **Cc:** Alyea, Katherine <Katherine.Alyea@aus.com>

Subject: case 36184

Afternoon Patrick,

In your email you stated Twana Ahmed was never addressed in an inappropriate, unprofessional nor indignant manner by you or anyone on your supervisory team. Did you question Twana about his beard during Ramadan? And did you have issues with his language barrier and foreign name? Did

Page 651 of 718



WORK SAFE. LIVE SAFE. BE SAFE.

From: McKinnon, Kareem < Kareem.McKinnon@aus.com>

Sent: Wednesday, June 15, 2022 8:22 AM

To: Alyea, Katherine < <u>Katherine.Alyea@aus.com</u>>

Subject: Re: case 36184

Friday.

Regards,

Kareem McKinnon Regional Vice President

Allied Universal C: 832.687.9248

License #C15802

From: Alyea, Katherine < <u>Katherine.Alyea@aus.com</u>>

Sent: Wednesday, June 15, 2022 8:16:31 AM

To: McKinnon, Kareem < <u>Kareem.McKinnon@aus.com</u>>

Subject: FW: case 36184

Good morning,

When is Patrick's last day?

Katherine Alyea PHR, SHRM-CP

Senior Regional HR Manager 713-321-0086



WORK SAFE. LIVE SAFE. BE SAFE.

From: Freeney, Patrick < <u>Patrick.Freeney@aus.com</u>>

Sent: Friday, June 10, 2022 11:35 AM

To: Oliver, Wayne < <u>Wayne.Oliver@aus.com</u>> **Cc:** Alyea, Katherine < <u>Katherine.Alyea@aus.com</u>>

Subject: RE: case 36184

Hi Wayne,

Kareem McKinnon

Regional Vice President

Allied Universal

C: 832.687.9248 | kareem.mckinnon@aus.com

License # B24060601

From: Alyea, Katherine < <u>Katherine.Alyea@aus.com</u>>

Sent: Wednesday, June 15, 2022 8:55 AM

To: McKinnon, Kareem < <u>Kareem.McKinnon@aus.com</u>>

Subject: RE: case 36184

Let me get with Wayne.

None of us are at the North office today.

Katherine Alyea PHR, SHRM-CP

Senior Regional HR Manager 713-321-0086



WORK SAFE. LIVE SAFE. BE SAFE.

From: McKinnon, Kareem < <u>Kareem.McKinnon@aus.com</u>>

Sent: Wednesday, June 15, 2022 8:46 AM

To: Alyea, Katherine < <u>Katherine.Alyea@aus.com</u>>

Subject: RE: case 36184

Ok. Can you do it today?

Kareem McKinnon

Regional Vice President

Allied Universal

C: 832.687.9248 | kareem.mckinnon@aus.com

License # B24060601

From: Alyea, Katherine < Katherine.Alyea@aus.com>

Sent: Wednesday, June 15, 2022 8:24 AM

To: McKinnon, Kareem < <u>Kareem.McKinnon@aus.com</u>>

Subject: RE: case 36184

We need to interview him concerning the falsification of the disciplinary.

Katherine Alyea PHR, SHRM-CP

Senior Regional HR Manager

713-321-0086

Hi Wayne,

Subject: RE: case 36184

Cc: Alyea, Katherine < Katherine. Alyea@aus.com>

To: Oliver, Wayne < Wayne. Oliver@aus.com>

Sent: Friday, June 10, 2022 11:35 MA

From: Freeney, Patrick < Patrick. Freeney@aus.com>

MOKK SAFE. LIVE SAFE. BE SAFE.



713-321-0086 Senior Regional HR Manager Katherine Alyea PHR, SHRM-CP

What follow up questions do we need from Patrick? Good morning,

Subject: FW: case 36184

To: Oliver, Wayne < Wayne. Oliver@aus.com>

MA 25:8 2202, 21 anul, ysbsanbaW :fn92

From: Alyea, Katherine < Katherine. Alyea@aus.com>

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1217-627-182 Regional HR Rep Wayne Oliver Jr.

Lyanks

it is Patrick's word against Mr. Ahmed's word.

I've went through the SW's and the H and not coming up with anything that's related to how Mr.

regard towards officers and their personal life. I spoke with Alex and he states that Patrick has never been disrespectful. But he does show a lack of

Ahmed said he was treated by Patrick. Let me know if I am missing something. This case seems like

Subject: RE: case 36184

To: Alyea, Katherine < Katherine. Alyea @ aus.com>

Sent: Wednesday, June 15, 2022 2:59 PM

From: Oliver, Wayne < Wayne. Oliver@aus.com>

Are you at the North office tomorrow?

Katherine Alyea PHR, SHRM-CP

Senior Regional HR Manager

713-321-0086



WORK SAFE. LIVE SAFE. BE SAFE.

From: McKinnon, Kareem < <u>Kareem.McKinnon@aus.com</u>>

Sent: Wednesday, June 15, 2022 1:48 PM

To: Alyea, Katherine < <u>Katherine.Alyea@aus.com</u>>

Subject: RE: case 36184

Sounds good, thanks!

Kareem McKinnon

Regional Vice President

Allied Universal

C: 832.687.9248 | kareem.mckinnon@aus.com

License # B24060601

From: Alyea, Katherine < <u>Katherine.Alyea@aus.com</u>>

Sent: Wednesday, June 15, 2022 1:47 PM

To: McKinnon, Kareem < <u>Kareem.McKinnon@aus.com</u>>

Subject: RE: case 36184

I am trying to let Wayne handle it..

I'll update you shortly.

Katherine Alyea PHR, SHRM-CP

Senior Regional HR Manager

713-321-0086



WORK SAFE. LIVE SAFE. BE SAFE.

From: McKinnon, Kareem < <u>Kareem.McKinnon@aus.com</u>>

Sent: Wednesday, June 15, 2022 1:07 PM

To: Alyea, Katherine < <u>Katherine</u>. Alyea@aus.com>

Subject: RE: case 36184

Katherine,

Dou want me to schedule this or will you handle?

Subject: RE: case 36184

To: Mckinnon, Kareem < Kareem. Mckinnon@aus.com>

Sent: Wednesday, June 15, 2022 1:49 PM

From: Alyea, Katherine < Katherine. Alyea@aus.com>

License # B24060601

C: 832.687.9248 | kareem.mckinnon@aus.com

Allied Universal

Regional Vice President Kareem McKinnon

I have a 10am meeting in the woodlands and will be in the office after that.

Subject: RE: case 36184

To: Alyea, Katherine < Katherine. Alyea @ aus. com>

Sent: Wednesday, June 15, 2022 1:54 PM

From: McKinnon, Kareem < Kareem. McKinnon@aus.com>

MOKK SAFE. LIVE SAFE. BE SAFE.



713-321-0086 Senior Regional HR Manager

Katherine Alyea PHR, SHRM-CP

Ok, I will probably see you there, I would prefer to speak to Patrick in person.

Subject: RE: case 36184

To: Mckinnon, Kareem < Kareem. Mckinnon@aus.com>

Sent: Wednesday, June 15, 2022 1:55 PM

From: Alyea, Katherine < Katherine. Alyea@aus.com>

License # B2406061

C: 832.687.9248 | kareem.mckinnon@aus.com

Allied Universal

Regional Vice President

Kareem McKinnon

:oT

From:

Sounds good. See you then.

imaqe001.pnq pnq.2009psmi

Attachments: Wednesday, June 15, 2022 1:55:58 PM Date:

> RE: case 36184 Subject: Alyea, Katherine

McKinnon, Kareem on behalf of McKinnon, Kareem < Kareem. McKinnon@aus.com>

From: <u>Alyea, Katherine</u> on behalf of <u>Alyea, Katherine <Katherine.Alyea@aus.com></u>

To: Oliver, Wayne
Subject: RE: case 36184

Date: Wednesday, June 15, 2022 3:59:57 PM

Attachments: <u>image001.pnq</u> image002.png

Ok, I'll see you there tomorrow.

Katherine Alyea PHR, SHRM-CP

Senior Regional HR Manager 713-321-0086



WORK SAFE. LIVE SAFE. BE SAFE.

From: Oliver, Wayne < Wayne. Oliver@aus.com>

Sent: Wednesday, June 15, 2022 3:33 PM

To: Alyea, Katherine < Katherine. Alyea@aus.com>

Subject: RE: case 36184

Yes the write ups. I have a eye appointment at 930 tomorrow should I join you at the north office?

Wayne Oliver Jr.

Regional HR Rep 281-729-7121



WORK SAFE. LIVE SAFE. BE SAFE.

From: Alyea, Katherine < Katherine.Alyea@aus.com>

Sent: Wednesday, June 15, 2022 3:16 PM **To:** Oliver, Wayne < <u>Wayne.Oliver@aus.com</u>>

Subject: RE: case 36184

That is true that it is a he said he said. What about the write ups?

Alex stated that he did not sign or witness them. I am going to the North office to discuss with Patrick tomorrow.

Katherine Alyea PHR, SHRM-CP

Senior Regional HR Manager 713-321-0086



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Exhibit 15

Patrick Freeney text — quitting

Patrick Freeny

Gentlemen,

It has been my extreme pleasure having had the opportunity to work for such an amazing organization such as this. Effective today, please accept my 2 weeks notice to vacate the Elite Client Manager position. My last day with the company will be June 17.

PF

Received. Sorry to hear this news Patrick. Thank you for everything.

Patrick Freeny



You're very welcome.

Exhibit 16

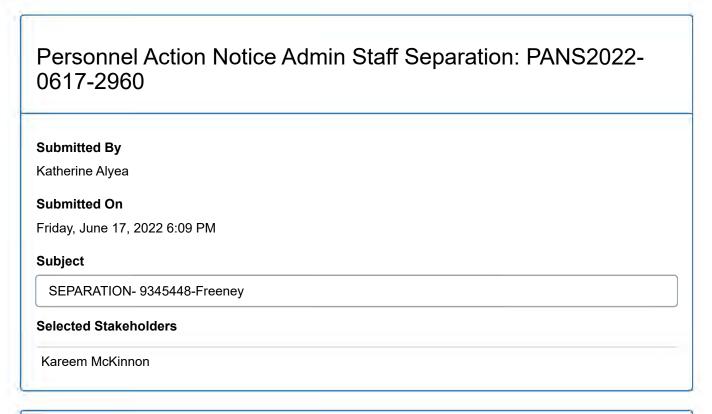
Patrick Freeney separation form

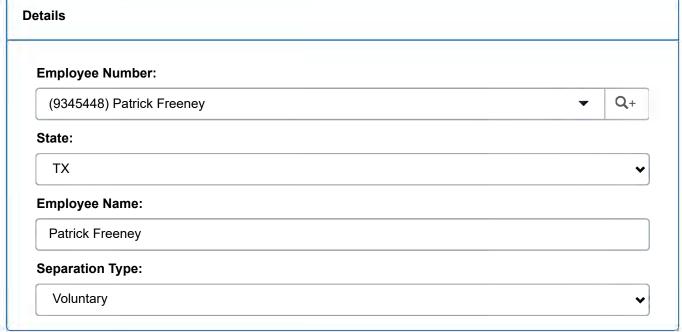
3/12/24, 9:10 AM

PAN Admin Staff Separation Request



(https://my.aus.com)





Attachments

File Name Description Type

https://wap.aus.com/Courier/PanSeparationRequest/Details/4103040

| 211 | 12/21 | 9:10 | A B 4 |
|-----|--------|---------|-------|
| J) | 12124. | . 9. IU | AIVI |

PAN Admin Staff Separation Request

| LHESPAN-ERatrick Preeney:xysxus.com) | SPAN- Patrick Freeney | PAN Separation Form | Open (/Attach |
|---|----------------------------------|------------------------|---|
| | | | ments/O penFile/1 848665) |
| Patrick Freeney Resignation Text.pdf | Patrick Freeney Resignation Text | Attachment | Open (/Attach ments/O penFile/1 848666) |

Request History

| When | Added By | Notes |
|-----------------|-----------------|---|
| Over a year ago | Katherine Alyea | Please process- EE did not complete two weeks notice |
| Over a year ago | Larry Brown | Your separation is Complete. There was no payment needed at this time. No Vacation hours were owed. This employee will receive their final wages on their next check for weekending 06/23/22, dated 06/30/22. |
| | | If this employee was a "Supervisor" on a job(s) or for Admin/Salary Support personal- additional steps will need to be taken. To update the "Supervisor" information on the Job level- submit a General Inquiry to the Contract Accounting team, provide the list of all job numbers impacted and the name of the replacement Supervisor. If this individual was a "Supervisor" for Admin/ Salary Support personal submit a General Inquiry to HR Transaction Processing team with the replacement Supervisor name. |

Request Action History

| When | Actioned By | Action Taken |
|-----------------|-----------------|-------------------|
| Over a year ago | Katherine Alyea | Request Submitted |
| Over a year ago | Larry Brown | Complete Request |

ALLIEDUNIVERSAL

Personnel Action Notice (Separation)

| Employee Number: | 9345448 | | Date of Submission: 6/17/2022 | | |
|--|---|---|---|---|---|
| Job Number: | | | Branch/Location: Houston Commer | rcial | |
| Employee Name: | | | Supervisor: Don Massey | | |
| Employee Address: 17011 Colt Creek Dr Humble, TX 77346 | | X 77346 | Employee Title: Client Manager | | |
| Employee Address. | 17011 COR CIEER DI Humble, | X 11040 | Final Rate of Pay: [\$2,307.69 | | |
| | | | | | |
| | | | Date of Hire: 11/29/2021 | | |
| Eligible for Rehire: | ☐ YES ☑ NO | | | | |
| Date" tab to complete the contact your Region HR situation that is not des | ease refer to the "Guide-Detern e accurate/official Separation I Director or Corporate Human I cribed in the Guide tab and/or to | Date below. Please Resources for any | SEVERANCE - PLEASE NOTE: All severance discussed and pre-approved by the Corporat Human Resources. If approved, the Legal De to create the severance agreement. A Perso (Separation) must still be completed. | te Vice President of epartment will be notified | |
| | WORKED: | 6/17/2022 | Uniform Returned: YES | NO | |
| TWIC Reimbursement: | VFG NO | | Billable Vacation: | NO NO | |
| Enter \$ Amount: | | _ | If Yes, Complete "Vacation Bill Back" Tab | | |
| IMPORTANT: | | | | | |
| ARY: | Notice Given By Employee | | R SEPARATION (Choose One) NO Date of Notice: | | |
| Another Job | | | Exhausted Leave of Absence | School Conflict | |
| O Hired by Clien O Hired by New | | 0 | From: To: Personal Reason(s) | O Transfer/Hours Pi O Unable to Contact | |
| O Conflict with F | Vendor - AUS lost account | 0 | Relocation | Unable to Contact | Employee for |
| O Deceased | | 0 | Refused Drug Test | | |
| O Due to Demot | | 0 | Refused Work (Job Offer form) | | |
| NTARY: | ent-EE failed to maintain contact | 0 | Retired - Voluntary | | |
| NIARY: | | | | | |
| Abandoned Po | | 0 | Failure to Provide Info/Invest Falsified Company Documents | Sleeping/Dozing v Smoking/Eating | vhile on duty |
| O Accepting Gift O Criminal Reco | | 0 | Gross Misconduct | O Smoking/Eating O Soliciting | |
| Disclosure of | Confidential Information | ŏ | I-9 Ineligible | Theft | |
| Discourteous | | 0 | Inability to Perform Job Duties-lack skill/knowled | lge O Unauthorized Ent | |
| 0 | | | Inappropriate Post/Altering Notices | | sons Allowed |
| O Disorderly Co | nduct/Fighting vment Contract | ŏ | Inappropriate Use of Time/Equipment | O Unauthorized Per | veillance |
| O Disorderly Co | nduct/Fighting yment Contract nal/Temporary Assignment | 000 | Inappropriate Use of Time/Equipment Insubordination | O Unauthorized Sur | |
| O Disorderly Co O End of Employ End of Season O Entered Unau | yment Contract nal/Temporary Assignment thorized Area | 0000 | Insubordination License/Work Permit/Visa | O Under the Influence O Unprofessional Co | ce of Drugs/Alc anduct |
| Disorderly Co Control End of Employ End of Season Entered Unau Control Excessive Ab | yment Contract nal/Temporary Assignment thorized Area senteeism and/or Tardiness | 00000 | Insubordination License/Work Permit/Visa Location Closed | O Under the Influence O Unprofessional Co Violation of Comp | ce of Drugs/Alc onduct any Policy |
| O Disorderly Co O End of Employ O End of Season O Entered Unau O Excessive Ab O Falled Drug Ti | yment Contract nal/Temporary Assignment thorized Area senteeism and/or Tardiness est | 000000 | Insubordination License/Work Permit/Visa Location Closed Misuse of Client/Company Property | O Under the Influence O Unprofessional Co Violation of Comp Violation of Unifor | ce of Drugs/Alc onduct any Policy m Standards |
| O Disorderly Co C End of Employ C End of Season C Entered Unau C Excessive Ab C Failed Drug T C Failure to Con | yment Contract nal/Temporary Assignment thorized Area senteeism and/or Tardiness | 0000000 | Insubordination License/Work Permit/Visa Location Closed | O Under the Influence O Unprofessional Co Violation of Comp | ce of Drugs/Alc onduct any Policy m Standards |
| O Disorderly Co End of Employ End of Season Entered Unau Excessive Ab Failed Drug T Failure to Con Failure to Res | ment Contract nal/Temporary Assignment thorized Area senteeism and/or Tardiness est plete Reports ply with job requirements pond to Beeper | 00000000 | Insubordination License/Work Permit/Visa Location Closed Misuse of Client/Company Property Mutual Agreement - No Misconduct No-Call/No-Show Position Elimination | O Under the Influence O Unprofessional Co Violation of Comp Violation of Unifor | ce of Drugs/Alco onduct any Policy m Standards |
| Disorderly Co End of Employ End of Seasor Entered Unau Excessive Ab Failed Drug T Failure to Con Failure to Con Failure to Res Failure to do F | yment Contract nal/Temporary Assignment thorized Area senteeism and/or Tardiness est aplete Reports apply with job requirements pond to Beeper | 0000000000 | Insubordination License/Work Permit/Visa Location Closed Misuse of Client/Company Property Mutual Agreement - No Misconduct No-Call/No-Show Position Elimination Possession of Drugs/Alcohol on the Job | O Under the Influence O Unprofessional Co Violation of Comp Violation of Unifor | ce of Drugs/Alc onduct any Policy m Standards |
| O Disorderly Co End of Employ End of Seasoi Entered Unau Excessive Ab Failed Drug To Failure to Con Failure to con Failure to Res Failure to do F | ment Contract nal/Temporary Assignment thorized Area senteeism and/or Tardiness est plete Reports ply with job requirements pond to Beeper | 000000000000000000000000000000000000000 | Insubordination License/Work Permit/Visa Location Closed Misuse of Client/Company Property Mutual Agreement - No Misconduct No-Call/No-Show Position Elimination | O Under the Influence O Unprofessional Co Violation of Comp Violation of Unifor | ce of Drugs/Alc onduct any Policy m Standards |
| Disorderly Co End of Employ End of Seasoi Entered Unau Excessive Ab Failed Drug To Failure to Cor Failure to Cor Failure to Res Failure to Prof Failure to Prof Pay Week Ending: | yment Contract nal/Temporary Assignment thorized Area senteeism and/or Tardiness est nplete Reports ply with job requirements pond to Beeper atrols vide Doctor's Note | Other Earnings | Insubordination License/Work Permit/Visa Location Closed Misuse of Client/Company Property Mutual Agreement - No Misconduct No-Call/No-Show Position Elimination Possession of Drugs/Alcohol on the Job Possession of Unauthorized Weapon | O Under the Influence O Unprofessional Co Violation of Comp Violation of Unifor | ce of Drugs/Alc onduct any Policy m Standards |
| Disorderly Co End of Employ End of Seasoi Entered Unau Excessive Ab Failed Drug To Failure to Con Failure to con Failure to Res Failure to Prof Failure to Prof Failure to Prof | yment Contract nal/Temporary Assignment thorized Area senteeism and/or Tardiness est nplete Reports ply with job requirements pond to Beeper atrols vide Doctor's Note | 0 | Insubordination License/Work Permit/Visa Location Closed Misuse of Client/Company Property Mutual Agreement - No Misconduct No-Call/No-Show Position Elimination Possession of Drugs/Alcohol on the Job Possession of Unauthorized Weapon | O Under the Influence O Unprofessional Co Violation of Comp Violation of Unifor | ce of Drugs/Alc onduct any Policy m Standards |
| Disorderly Co End of Employ End of Seasoi Entered Unau Excessive Ab Failed Drug To Failure to Cor Failure to Cor Failure to Res Failure to Prof Failure to Prof Pay Week Ending: | yment Contract nal/Temporary Assignment thorized Area senteeism and/or Tardiness est nplete Reports ply with job requirements pond to Beeper atrols vide Doctor's Note | Other Earnings | Insubordination License/Work Permit/Visa Location Closed Misuse of Client/Company Property Mutual Agreement - No Misconduct No-Call/No-Show Position Elimination Possession of Drugs/Alcohol on the Job Possession of Unauthorized Weapon | O Under the Influence O Unprofessional Co Violation of Comp Violation of Unifor | ce of Drugs/Alc onduct any Policy m Standards |
| Disorderly Co End of Employ End of Seasoi Entered Unau Excessive Ab Failed Drug To Failure to Cor Failure to Cor Failure to Res Failure to Prof Failure to Prof Pay Week Ending: | yment Contract nal/Temporary Assignment thorized Area senteeism and/or Tardiness est nplete Reports ply with job requirements pond to Beeper atrols vide Doctor's Note | Other Earnings | Insubordination License/Work Permit/Visa Location Closed Misuse of Client/Company Property Mutual Agreement - No Misconduct No-Call/No-Show Position Elimination Possession of Drugs/Alcohol on the Job Possession of Unauthorized Weapon | O Under the Influence O Unprofessional Co Violation of Comp Violation of Unifor | ce of Drugs/Alc onduct any Policy m Standards |
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| Disorderly Co End of Employ End of Seasor Entered Unau Excessive Ab Failed Drug T. Failure to Con Failure to Con Failure to Res Failure to Prov Failure to Pro | yment Contract nal/Temporary Assignment thorized Area senteeism and/or Tardiness est aplete Reports apply with job requirements pond to Beeper Patrols vide Doctor's Note | Other Earnings Job # Hour Type | Insubordination License/Work Permit/Visa Location Closed Misuse of Client/Company Property Mutual Agreement - No Misconduct No-Call/No-Show Position Elimination Possession of Drugs/Alcohol on the Job Possession of Unauthorized Weapon | O Under the Influence O Unprofessional Co Violation of Comp Violation of Unifor | ce of Drugs/Alco onduct any Policy m Standards |
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Exhibit 17

list of Allied Elite security officers, including Raymond Rodriguez, dated March 6, 2022

 From:
 Zepeda, Mauricio on behalf of Zepeda, Mauricio <Mauricio.Zepeda@aus.com>

 To:
 Freeney, Patrick; Hernandez, Nathan; Bergeron, Alexzander; Parham, Patrick

 Subject:
 Re: Urgent HEB Elite Safety Stand Down Sessions

Date: Sunday, March 6, 2022 1:48:00 PM

Attachments: image001.jpg

Sounds good will do

Mauricio Zepeda

Field Supervisor

Allied Universal

11811 North Freeway | Unit 810 | Houston 77060

C: +1 (281)-347-1517 | mauricio.zepeda@aus.com

License # C15802

From: Parham, Patrick < Patrick. Parham@aus.com>

Sent: Sunday, March 6, 2022 1:44:34 PM

To: Freeney, Patrick <Patrick.Freeney@aus.com>; Hernandez, Nathan <Nathan.Hernandez@aus.com>; Bergeron, Alexzander

<Alexzander.Bergeron@aus.com>; Zepeda, Mauricio <Mauricio.Zepeda@aus.com>

Subject: Re: Urgent HEB Elite Safety Stand Down Sessions

Will do, thank you.

Sent via the Samsung Galaxy S9, an AT&T 5G Evolution capable smartphone

Get Outlook for Android

From: Freeney, Patrick < Patrick. Freeney@aus.com>

Sent: Sunday, March 6, 2022 1:38:41 PM

 $\textbf{To:} \ Hernandez, Nathan < Nathan. Hernandez@aus.com>; Bergeron, Alexzander < Alexzander. Bergeron@aus.com>; Zepeda, Mauricional Mauri$

<Mauricio.Zepeda@aus.com>; Parham, Patrick <Patrick.Parham@aus.com>

Subject: Fwd: Urgent HEB Elite Safety Stand Down Sessions

See the attachments and the email chain. We've got to get the documents uploaded into WT yesterday. Please acknowledge receipt and have all of your officers sign the document. If you have any questions please let me know.

Patrick

Get Outlook for Android

From: Westman, Mark < Mark. Westman@aus.com>

Sent: Sunday, March 6, 2022 12:20:29 PM

To: Freeney, Patrick <Patrick.Freeney@aus.com>

Cc: Solis-Ramirez, Felicia <Felicia.Solis-Ramirez@aus.com>; Don Massey <Don.Massey@aus.com>; Gaussen, Matthew <Matthew.Gaussen@aus.com>

Subject: FW: Urgent HEB Elite Safety Stand Down Sessions

Hi Patrick.

I'm neck deep into the UOF audit in WT, and see that none of your officers (so far) have a signed checkpoint acknowledgement form uploaded into the system

It looks like some of the supervisors went over the form in the field, or during the mandatory safety stand-down we had in early February, and I'm hoping they have all the signed documents on hand (or that you have them). If so, it's just a matter of going back in and uploading them using the attached instructions.

Just FYI, quick compliance entries will not give us the data needed for proper compliance. Let me know if you have any questions. I'm here to assist.

Thank you!

Respectfully,

S. Mark Westman- US Navy Vet

Client Portfolio Director

Allied Universal Security 3355 Cherry Ridge | Suite 200 | San Antonio, TX 78230

Cell / EPTT: 210-906-0591 mark.westman@aus.com



| BM/GM | AOW | EE# | EE Name | PayRate | UoF Paper | Notes |
|---|-------------------------------------|---------|-----------------------|----------|------------|-----------------------------|
| CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 6985287 | Alexzander Bergeron | i aynale | Attachment | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9191447 | Martin hernandez | | No | Needs signed conf. |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9304146 | Mauricio Zepeda | - | No | Needs signed conf. |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9327760 | Patrick Parham | _ | No | Needs signed conf. |
| Donald) | , , , | | | | No | Needs signed conf |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9285758 | Nathan Hernandez | _ | No | Needs signed conf |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9209180 | Stephen Garza | | No | Needs signed conf. |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9365165 | adrianne dewberry | | No | Needs signed conf. |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9370352 | Toby Thompson | | No | Needs signed conf. |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9370401 | NICHOLAS HATCHER | | No | Needs signed conf. |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 716575 | Curtis Wesley | - | No | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 2681525 | Heather Rome | | No | Needs signed conf. |
| CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9251546 | Raymond Rodriguez | - | No | Needs signed conf. |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9264319 | Derek Gonzalez | - | | · · |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9273262 | Sterlin Hector | - | No | Does not look like HEB. |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9369812 | Colin Jemison | | No | FB? |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9370982 | Jose Santana | - | No | Needs signed conf uploaded |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9377342 | Matthew Holt | | No | Needs signed conf uploaded |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 6928822 | ANTHONY ILOCHI | _ | No | Needs signed conf uploaded |
| Donald) CE: TX Houston (Massey, | , , , | 9247454 | | - | No | Needs signed conf. uploaded |
| Donald) | CE: AOW (Freeney, Patrick) | | Sean Whitney | _ | No | Needs signed conf. uploaded |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 227468 | Shakeria Radden | _ | No | Needs signed conf. uploaded |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9322290 | SAYE QUEEGLAY | _ | No | Needs signed conf. uploaded |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 6924675 | JYRONICA THOMAS | | | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9082702 | Rolande Morris | | | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9176503 | Kellen Powell | | | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9335396 | Luis Barba | | | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9341687 | GREGORY WILSON Jr | | | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9341699 | Brandon Confair | | | |
| CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9225987 | Jeremiah Ritzenthaler | - | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Gaussen, | 9337136 | Jeff Wachira | - | | |
| Donald) CE: TX Houston (Massey, | Matthew) CE: AOW (Gaussen, | 9342864 | Leonard Torres | - | | |
| Donald) CE: TX Houston (Massey, | Matthew) CE: AOW (Gaussen, | 9319214 | Bernard Yi | - | | |
| Donald) CE: TX Houston (Massey, | Matthew) CE: AOW (Freeney, Patrick) | 9343419 | Jonathan Linares | - | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 633212 | JOSEPH CARRIER | | 1 | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9310004 | Roberto Longoria II | | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9319169 | Rodney Asquith | | | |
| Donald) CE: TX Houston (Massey, Donald) | | | | | | |
| Donald) | CE: AOW (Freeney, Patrick) | 6949183 | DAVID GEORGE | | | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9323092 | William Higdon | | | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9305650 | Nathan Jordan | | | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 590904 | Steven Jackson | | | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9354570 | Joshua Dixon | | | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9321091 | Richard Welch | | | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9321623 | Christopher Douglas | | | |
| CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9337127 | David Lee | | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9313659 | Daryl Boone | | | |
| CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 817086 | Javen Bieniemy | | | |
| Donald) | , , , | | • | - | | |

| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9193666 | Chris Carrillo | | | |
|------------------------------------|---|---------|----------------------------|---------|---|--|
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 6997807 | CHRISTOPHER HODGES | | | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9307770 | WILLIAM BOYCE | | | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9346436 | Christian De Los Santos | | | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9328252 | Caleb Bridges | | | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 115956 | Anthony Hardeman | | | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 543080 | Barry Jones | | | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 787086 | Rochan Harris | | | |
| CE: TX Houston (Massey, Donald) | CE: AOW (Freeney, Patrick) | 9132827 | JOHN TURNER | | | |
| CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9300030 | Samuel Mendoza | | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9307853 | Edward Marigny | | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 156550 | Michael Reese | - | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9352791 | Twana Ahmed | \$21.00 | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9293070 | Jamaine Boyd | | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9358826 | MIKE RODRIGUEZ | - | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9159327 | Martin Perez | - | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9339072 | Joseph Bernardez | - | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9172355 | Ernesto Rangel | - | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 203512 | Clarence Young lii | - | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9311820 | Tanner Loos | - | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 285281 | Raj Sinha | - | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9295456 | Ja'Kendrick Davison | - | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 515503 | Jomel Wade | - | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9319779 | Franky Mattei Ayala | - | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9330822 | Nicholas Drake | - | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9327119 | Gerald Kirk | - | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9321622 | Dustin Maynard | - | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Gaussen, | 9301212 | Giovanni Garcia | - | | |
| Donald) CE: TX Houston (Massey, | Matthew) CE: AOW (Gaussen, | 9313247 | Christopher Robinson | - | | |
| Donald) CE: TX Houston (Massey, | Matthew) CE: AOW (Gaussen, | 9324701 | CHRISTIAN CURCIO | - | - | |
| Donald) CE: TX Houston (Massey, | Matthew) CE: AOW (Gaussen, | 203460 | Patrick Price | - | | |
| Donald) CE: TX Houston (Massey, | Matthew) CE: AOW (Gaussen, | 9320478 | Gabriel Rivera | - | | |
| Donald) CE: TX Houston (Massey, | Matthew) CE: AOW (Gaussen, | 9311756 | Donnell Stephens | - | | |
| Donald) CE: TX Houston (Massey, | Matthew) CE: AOW (Gausseri, Matthew) CE: AOW (Freeney, Patrick) | 9351469 | Sebastian Almaguer | - | | |
| Donald) CE: TX Houston (Massey, | CE: AOW (Freeney, Patrick) | 9062152 | Damaso Mota | - | | |
| Donald) | OL. AOW (Fleeliey, Fallick) | 3002102 | Damaso Wiota | | | |

From: King, Bill <Bill.King@aus.com> Sent: Sunday, February 6, 2022 11:20

To: Don Massey < Don. Massey@aus.com>; Solis-Ramirez, Felicia < Felicia. Solis-Ramirez@aus.com>; Fortune, William < William. Fortune@aus.com>; Westman, Mark < Mark. Westman@aus.com>

Cc: Barnett, Michael < Michael.Barnett@aus.com>; Rekow, Dave < Dave.Rekow@aus.com>; McKinnon, Kareem < Kareem.McKinnon@aus.com>; Nagy, Justin < Justin.Nagy@aus.com>; Grant, James < James.Grant@aus.com>

Subject: Urgent HEB Elite Safety Stand Down Sessions

Importance: High

Don, Felicia, Robert – I am emailing to ask for your help with some immediate actions that are needed. Dave, Kareem and I have determined that we need to have a 2-hour Safety Stand-down in person session with all Elite officers between this Tuesday and Friday. Please be sure that you are able to facilitate at least the first 3 as our messaging has to be clear and consistent. Client/Service Managers should be present at each on along with 1-2 Field Supervisors.



Allied Universal Security Services 3355 Cherry Ridge St. | Suite # 200 | San Antonio, Texas 78230 C: 346.802.8305 | bill.king@aus.com ww.AUS.com | Blog | View my LinkedIn

Bill King Regional Vice President

- o Please then upload to WT using the attached instructions
- o Please read through each item as a group (give examples of what this means at HEB) and have the employee check and initial

Re-signing of the UoF police Acknowledgment

- o Always detaining after going hands on
- \circ Determining that immediate harm is occurring or will absolutely occur
 - o Always keeping 6-7 feet

How to stay safe and out of criminal trouble

- \circ Using force to save groceries
- \circ $\,$ Store leaders demanding action $\,$
 - Belligerent people
 - o Theft stops
 - o Domestic disputes
- Incident overview (SP's are risking their safety and freedom)
- \bullet $\;\;$ We care about your safety and do not want you to end up hurt or in trouble with the law.

Safety Stand Down Agenda

Here is a draft agenda – It may change and the final will be published on Monday.

The HEB Command Center team will be jumping in to help identify good slots around your schedule and store working hours.

Exhibit 18

Allied Incident Reporting & Response Policy

PURPOSE

To provide direction for reporting and responding to incidents involving employee injury, vehicle damage, and near miss incidents.

SCOPE

This program outlines procedures for reporting, investigating and responding to incidents that result in, or could have resulted in personal injury and or property damage. Prompt reporting of incidents and thorough response will aid in determining the root cause of an incident and establishing corrective actions to prevent future incidents.

This program details the responsibilities of management, per federal law, to report certain types of severe incidents to OSHA within 8-hours of the occurrence.

APPLICATION

This program applies to all Allied Universal (AUS) offices and sites.

RESPONSIBILITIES

Management:

- Oversee program implementation so that incidents are reported and responded to in accordance with these guidelines.
- Manage compliance with this process and the corporate Whistleblower Protections policy so that no employee reporting a safety incident is subject to retaliation for doing so.
- Review incident responses for accuracy and verify timely completion of action items.
- Report all fatality or severe injury/illness events, per direction of this section, promptly to the Corporate Safety Management Team and then the local OSHA office.

Managers/Supervisors:

- Establish incident reporting procedures for the site and provide instruction to all employees on when and how to report a Near Miss, Injury, Illness or Vehicle Collision. Receive these reports and respond to incidents without retaliating against employees, as detailed herein and in the corporate Whistleblower Protections policy.
- Immediately report all fatality or severe injury/illness events up the management chain of command.
- Report all work-related Near Miss, Injury or Illness incidents and Vehicle Collisions to the Third Party Administrator (or monopolistic state organization) within 48 hours of receiving notification of the event; and to the client per local requirements.
- Report all vehicle collisions through the AUS vehicle accident process.
- Complete the Incident Reporting & Response training module(s) on the EDGE and be familiar with the corporate Whistleblower Protections policy.
- Conduct an incident response as described herein.
- Complete all assigned Corrective Actions within the specified time-period.



Employees:

- Report all Near Miss, Injury, Illness and Vehicle Collision incidents promptly

 before the end of
 the shift in which the incident occurred.
- Cooperate and take part in the incident investigation process.
- Offer input as to how an incident could have been prevented for ongoing safety improvement.

DEFINITIONS

Employee Fatality – Any situation which results in the death of an Allied Universal employee, including all heart attack deaths; the cause/circumstances of death (work-relatedness) should not be considered for OSHA reporting purposes.

Immediate Cause – The event or condition that directly led to the incident.

Near Miss – Incident, action or hazard encountered in the workplace which does not result in an injury, property damage, vehicle damage or other loss, but had the potential to do so.

Root Cause - The underlying reasons for why the immediate cause(s) existed.

Severe Incident – For OSHA reporting purposes, a severe incident is any incident resulting in a work-related fatality, in-patient hospitalization, amputation or loss of an eye of one or more employees.

For internal investigation purposes, this definition should also include any incident that did or could have limited someone's ability to perform their normally assigned job duties, significant property damage or loss, or major deviation from accepted safe practices that could expose the company to liability.

Solution Team – The Solution Team is a small group of company representatives who gathers to complete the root cause analysis. The solution team includes a minimum of three people: the supervisor of the involved employee and the manager of that supervisor, and a subject matter expert (SME). Whenever possible the SME will be the involved employee; when the involved employee is not able to participate they may be replaced on the team by another employee who completes the same task/ job. The Solution Team will determine if any additional people should be invited to join the team on as needed.

Vehicle Collision – Incident which results in property damage, vehicle damage, or injury to a person, involving a licensed motor vehicle

Work-related – Any incident which occurs within the course and scope of employment.



I. INCIDENT REPORTING REQUIREMENTS

- A. Reporting Procedures for Employees and Supervisors
- **B.** Reporting Safety Concerns
- C. OSHA Notification of Severe Incidents

I.A. Each site will establish an Incident Reporting procedure, which will outline:

- Names of people who will receive incident reports, and how to contact each.
- Instructions for how to report incidents. Sites are encouraged to utilize Appendix 7.2, the Employee Incident Report Form to document incident reports.
- Off-hour reporting procedures, if these differ from routine reporting procedures.
- Supervisors/ Managers are responsible to inform each employee of their right to report a safety incident and of the reporting procedures in place initially upon the employee's assignment to the site and when the reporting procedure is modified.

All employees will promptly report injuries, vehicle collisions, and/or near miss events to their manager/supervisor. In most cases this will be done immediately, but in some situations this notification may be slightly postponed. In ALL situations, these events will be reported before the end of the shift in which they occur.

Employees may use the Employee Incident Report Form (Appendix 7.2) to document and report an incident. The employee statement providing a description of what happened is the first piece of information the investigator will have to begin the investigation phase of the response.

Every employee has the right to report a safety incident without fear of retaliation. See the corporate Whistleblower Protections policy for further details.

Upon notification of an injury, vehicle collision or near miss event, supervisors/managers will:

- Promptly eliminate or guard access to hazards in the area where the incident occurred, to reduce risk to others.
- Discuss with the involved employee if medical care is needed. The employee may selfadminister First Aid, First Aid care may be administered by a certified person, or off-site care may be sought. When off-site medical care is needed, supervisors/managers will provide employees with a list of local Panel Physicians (found on the internal SharePoint site), per state requirements.
- Report the incident to the client, per local procedures and contract requirements.
- Report all incidents to the Third Party Administrator (TPA) by phone or via monopolistic state specific requirements. The First Report of Injury form will be used to document necessary information prior to the call. The phone number for TPA is listed at the top of this form. This notification should be made by the end of the shift in which the incident is reported, but never later than 48 hours after the incident report.
 - o Monopolistic States include: Ohio, North Dakota, Washington, Wyoming



Report all vehicle collisions, regardless of vehicle ownership, through the AUS vehicle accident reporting process. This means that vehicle collisions are also reported to the TPA as a Near Miss if no injury resulted.

I.B. Methods to Report Safety Concerns (and Safety Incidents)

Employees with safety concerns can communicate with their site supervisor/manager, local Human Resource representative or send safety questions/concerns to safety@aus.com. If further support is needed employees can also call Allied Universal Employees First at 1-800-461-4330 in the United States, or at +1-720-514-4400 outside of the United States, or make an anonymous report online at http://employeesfirst.aus.com if at any time when they:

- Do not feel comfortable contacting the designated supervisor;
- Do not feel your concern was appropriately addressed;
- Do not have the contact information for the appropriate person;
- Have not received a response to your concern within 10 business days.

Employees can make this call 24 hours a day, 7 days a week anonymously; however, providing a name will allow a more direct and personal response. The sole purpose of the Hotline is to get the concern to the appropriate person so that the issue can promptly be resolved.

Nothing in this manual prohibits employees from reporting possible violations of federal, state or local law or regulation to any government agency or entity and any agency inspector general, or making other disclosures that are protected under the whistleblower provisions of federal, state or local law or regulation. While Employees are encouraged to bring any such possible violation to the attention of Allied Universal. Employees do not need the prior authorization of Allied Universal to make any such reports or disclosures to these entities.

In the event that an employee is unable to report an incident using the site reporting process, or is uncomfortable reporting a safety incident to their supervisor/manager, they may report such an incident via The SECURITY VIOICE HOTLINE, as described above. Employees are encouraged to first use the established reporting process for their site and only report safety incidents via the hotline as needed.

I.C. **OSHA Notification Requirements**

In the event of an employee fatality or severe injury/illness, management must provide prompt notification to the nearest OSHA office.

Upon notification of an employee fatality or severe injury/illness, supervisors/ managers will:

- Immediately make notifications up the organizational chain of command. Prior to notifying OSHA, someone in the regional management team will notify the corporate Legal Service Group and Corporate Communications of the situation.
- Determine with upper management if and how notification will be made by an Allied Universal representative to the employee's emergency contact(s), to the media, and/or to the client.



- Provide prompt notification of a severe incident to the appropriate state or federal agency within the required time period.
- Federal OSHA Notification: Make notification to the local area OSHA office, or call 1-800-321-6742, as detailed in the below table. At the completion of the call request and document the name of the person you spoke with.

| TYPE OF SEVERE | Federa | al OSHA | California | Cal/OSHA | Other State | |
|---|--|---|---|---|---|---|
| INCIDENT | Scope | Deadline | Scope | Deadline | Plans** | |
| Amputation of any body part Hospitalization of 1 or more employees Loss of an Eye | Work- related only Work- related only Work- related only | Within 24 hours Within 24 hours Within 24 hours | All severe incidents, including non-work related events must be reported. | Within 8 hours | Verify state-specific requirements as they may differ slightly from Federal OSHA Reporting requirements. Visit www.osha.gov/dcsp/osp/ for details | |
| Fatality – other than those detailed below Fatality resulting from a heart attack | Work-related only Report all | Within 8 hours Within 8 hours | California additionally requires notification of any 3 rd | additionally requires notification of any 3 rd | | requirements as they ma Reporting requirements. /osp/ for details |
| Fatality resulting from a motor vehicle collision | No report required | N/A | degree burns and any permanent disfigurement/ | | Verify state-specific requirem from Federal OSHA Reportin www.osha.gov/dcsp/osp/ for | |
| Fatality resulting from a suicide | No report required | N/A | disability. | | Verify state-si from Federal www.osha.go | |

**Other State Plans: Operators in the following states must consult state-specific requirements for fatality/severe incident reporting, which may differ slightly from Federal OSHA requirements. Visit www.osha.gov/dcsp/osp/ for details:

Alaska, Arizona, California, Connecticut, Hawaii, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Puerto Rico, South Carolina, Tennessee, Utah, Vermont, Virgin Islands, Virginia, Washington, Wyoming.

Note: in California non-work-related events which occur in the workplace must be reported. Make notification as soon as possible, but within 8 hours. At the completion of the call request and document the incident case number and/or identification number of the representative who received the report.



II. INCIDENT RESPONSE

- A. Incident investigation,
- B. Root cause analysis and
- C. Corrective actions

The purpose of an incident response is to gather facts about the incident so a root cause analysis and corrective actions may be implemented to prevent reoccurrence; not to identify fault or blame. An investigation which seeks to identify fault or blame is counterproductive and not in line with the company safety culture.

The investigator(s) will gather facts, to identify all potential causes, working without assumption or bias. The Solution Team will use this information to determine what corrective actions may be implemented to prevent reoccurrence. Allied Universal training on the responsibilities and process of how to conduct this phases of the incident response will be available on the Allied Universal **EDGE**.

All incidents, including Near Misses, will be responded to as soon as possible. The response to severe incidents will be initiated within 24 hours from the time the incident was reported. Local management will determine if a non-severe Near Miss report warrants a full response and involvement of a Solution Team or if the issue can be adequately responded to by an individual Manager/ Supervisor.

II.A. Incident Investigation Process

An incident investigation is conducted to collect information about the incident and gain an understanding of what and how the incident occurred. The steps of this process include:

- 1. Survey the Scene
- 2. Conduct Interview(s)
- 3. Document the Facts

The following incident response procedure will be used, unless the client requires a local equivalent investigation process to be used:

1. Survey the Scene:

- Whenever possible the investigator will visit the location where the incident occurred. If
 this is not possible, photos will be taken at the scene to evaluate the physical conditions
 of the area. The investigator should survey for any/all factors that could contribute to the
 incident.
- Eliminate or guard against hazards in the area where the incident occurred to reduce risk to others in the area. Any hazardous conditions shall be reported to the client or property owner.
- For serious incidents, evidence related to safety incidents will be collected, preserved and secured.



2. Conduct Interviews:

- A Human Resources representative or local manager will interview the employee(s) involved in the incident in a manner that conveys concern for the employee and with a goal to fix the problem that caused the incident. This is achieved through use of openended questioning and active listening skills.
- Ask questions that lead to facts, while avoiding opinions. Finish the interview by asking 'how do you think this incident could have been prevented?'
- Some incident investigations may involve additional interviews, including witnesses, or others with related work, etc.
- Interviewing employees after an incident can be difficult. Employees may be uncooperative if they are afraid of ridicule, worried about creating a bad impression, or concerned about disciplinary action. The following guidelines will help the investigator conduct a productive interview:
- Show concern for the employee's injury, no matter how minor.
- Explain the investigation process and that the goal is to understand what happened in order to prevent a future similar incident from occurring.
- Use a friendly/ cooperative approach.
- If possible, discuss the incident at the scene.
- Get the injured employee's story before asking questions.
- Check your understanding of the story.
- Listen carefully. Avoid interrupting.
- Use tact in clearing up discrepancies in employee's story.
- Avoid sarcasm, blame and threat.
- Discuss ways to prevent a recurrence. Ask the involved/ affected employees for their suggestions.
- Avoid using the word 'why' when asking what people did. (It causes people to justify and defend their actions.)

3. Document Facts:

- Investigators will use the Incident Investigation Form (Appendix 7.1) to document the results of the investigation.
- Other documentation including notes, photos, etc. will be retained on file.
- Facts to be sought include (but are not limited to):
 - o Who was involved?
 - o What happened?
 - O When and how did the event take place?
 - o Did the employee complete the JSA Acknowledgement form upon assignment?
 - When was the JSA last updated,
 - o What procedures applied to the work activity?
 - O What equipment and/or PPE was used?
 - o What related training was completed prior to the incident?
 - o What (if anything) was abnormal prior to the incident?
 - What hazards were present, etc.?



- Photographs or video recordings should be utilized as necessary in conjunction with investigations of incidents involving personal injury, property damage (including motor vehicles), equipment or material failure, and all incidents that may even remotely involve third party action or omission. This builds defenses against liability claims.
- Photographs should be sufficient in number to adequately reflect the general area as well as pertinent details from a variety of angles. It is better to take too many than not enough. Photographs should be taken as soon as possible following the incident. Identify each print on its reverse side as follows:
 - Name of injured (if equipment damage, type; if property damage, location)
 - Date of incident
 - o Photographer's name
 - Time photographs taken (date, if different from occurrence)
 - Direction facing and
 - Brief description of photo (i.e., what it shows)

II.B. **Root Cause Analysis Process**

The Analysis and Follow-up stage of the response is used to evaluate the underlying causes which can be addressed to prevent reoccurrence.

A Solution Team will be assembled to use the Fishbone (Ishikawa) method of Root Cause Analysis (RCA) to analyze what factors contributed to cause the incident. The Solution Team will remain open-minded to the fact that more than one line or cause may result from this process.

Conduct the Fishbone Root Cause Analysis:

This process is used to identify the underlying causes of the incident, not the immediate causes. The purpose of conducting the RCA is to determine what system or process failed so that this incident could occur. A RCA which points directly and solely to an employee behavior or error as the root cause of the incident should not be accepted without review by upper management.

Solution Team members will receive training on the Fishbone RCA process via the Incident Investigation module(s) on the EDGE. Together the Solution Team will:

- Step 1: Write the problem statement. This is a brief description of the negative outcome resulting from the incident being analyzed. The major categories (fish bones) will include: Environment/ Materials, Equipment, Process/ Management and People.
- Brainstorm all possible causes, asking "why did this happen?" The list of Step 2: questions (provided in Appendix 7.3) for each major category is a starting point, but the Solution Team is encouraged to consider other potential causes. Sub causes will be added to the fishbone and causes.



- Step 3: The Solution Team will write possible issues that contributed to the incident on the appropriate fish bone. For each item noted the team will dig deeper through questioning to analyze how that issue contributed to the incident and what caused that issue.
- Step 4: The Solution Team will select between one-to-three causes from Step 3, ranking these in priority from the most significant to least significant issue that contributed to cause the incident.

Determine Causes:

The Solution Team will determine the Immediate and Root Causes for the incident. Even simple incidents may have multiple causes. Causes will be determined through the ranking process in step 4 of the RCA; there is no limit to how many causes may be identified. The purpose of identifying these causes is to generate improvement recommendations and effective corrective actions.

II.C. **Implement Corrective Actions**

A repeat of the incident can be prevented when the underlying causes of an incident are identified and adequately addressed.

The Solution Team will propose corrective actions for each cause identified. Each corrective action will be assigned to an individual for implementation, to be completed as soon as possible following the incident. A due date shall be assigned to each corrective action and the resolution and date documented.

It is the responsibility of local management to manage this process and hold individuals accountable to complete the assigned corrective actions in a timely manner.



Exhibit 19

Allied emails discussing Patrick Freeney's use of force report about Twana Ahmed

From: Freeney, Patrick on behalf of Freeney, Patrick < Patrick. Freeney@aus.com>

To: Force

Cc: Gaussen, Matthew

Subject: Twana Ahmed Use of Force (04042022)

Date: Tuesday, April 5, 2022 2:37:13 PM

Attachments: Twana Ahmed UOF 04042022.pdf

image001.png

ALCON,

See attached for the UOF incident that occurred on 04/04/2022. Please contact me using the information provided below if you have any questions.

Thanks in advance!

Patrick G. Freeney

Elite Client Manager for HEB/Houston
Allied Universal Security Services

11811 North Freeway| Suite 810 | Houston, TX 77060

C: 762.524.1023 | patrick.freeney@aus.com

License number: C15802

www.AUS.com



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Use of Force and Reporting Policy; Use of Force Report Form

DATE ISSUED: 02/28/2005 DATE REVISED: 08/19/2021

Use of Force Incident Report

Instructions: Security Professionals are required to complete this report within 24 hours of any incident involving the application of force as defined in the Allied Universal Firearms and Use of Force Policies. Additionally, this form is to be forwarded by the Account Manager or Field Operations Manager over the Security Professional involved in the event to the Legal Services Group (force@aus.com) with copies to the supervisor's management chain (i.e. BM, RVP, RPs).

If a firearm was discharged, do not complete this form; complete the *Preliminary Report* of Firearm Discharge.

| April 4, 2022 1945 | Filed: Report number unknown | | | |
|----------------------------|-------------------------------|--|--|--|
| Date and Time of Report: | Police Report No. (if known): | | | |
| April 4, 2022 1730hrs | Houston, TX 77401 | | | |
| Date and Time of Incident: | Location of Incident: | | | |
| HEB (Store 738) | 204376 | | | |
| Customer/Site Name | Job No. | | | |
| Houston | Houston, Texas | | | |
| Branch | Region | | | |

Identity of all Allied Universal personnel involved:

SP Twana Ahmed EE# 9352791

Identity of Person(s) Restrained, Detained, or otherwise subject to Use of Force:

1 male, identity unknown.

CONFIDENTIAL AND PRIVILEGED
PREPARED AT THE REQUEST OF THE ALLIED UNIVERSAL LEGAL
DEPARTMENT

CONFIDENTIAL AND PRIVILEGED PREPARED AT THE REQUEST OF THE ALLIED UNIVERSAL LEGAL DEPARTMENT

Identity of all Witnesses to the Incident (include addresses and phone numbers): HEB Manager in Charge, Mr. Kevin 5106 Bissonnet Street (Bellaire) Houston, TX 77401 Phone number: (713) 218-1600 Description of Injuries to Allied Universal personnel: No injuries noted. Description of Injuries to other than Allied Universal personnel: No injuries noted. Description of Property Damage:

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DEPARTMENT

None

What instruments (compliance techniques, restraints, weapons, etc.) were employed and by whom?

AUS employee SP Ahmed (EE# 9352791) applied steel handcuffs to the shopper when he attempted to leave the store without rendering proper payment for merchandise received.

Brief Summary of Incident:

This incident occurred on April 4, 2022, inside the front entrance of the store (2nd level). SP Ahmed was alerted by the Store MIC (Kevin) that there was a potential shoplifter in the store. The MIC alerted him of this incident in an effort to gain assistance should the need arise. Bellaire Police were already notified. When the individual attempted to leave the store without rendering proper payment for the merchandise he received, SP Ahmed forcefully pushed the unknown shoplifter against the wall, and applied steel hand cuffs to his wrists behind his back. Since this individual did not technically leave the store, the police were unable to charge him with shoplifting.

At no time did SP Ahmed employ deescalation techniques, and no injuries were reported from this incident.

| Super | Supervisor's Recommendation: | | | | |
|------------------------|---|------------------------------|--|--|--|
| | Closed – No further action necessary | | | | |
| × | Further Investigation Recommended – Refer to Branch Manager | | | | |
| | Further Investigation Recomm | ended – Legal Services Group | | | |
| | | | | | |
| Supervisor's Signature | | Branch Manager Signature | | | |
| Printed Name | | Printed Name | | | |
| Date | | Date | | | |

CONFIDENTIAL AND PRIVILEGED
PREPARED AT THE REQUEST OF THE ALLIED UNIVERSAL LEGAL
DEPARTMENT

Subject: RE: Twana Ahmed Use of Force (04042022)

Given that this use of force appears to be outside of our established policies, please complete a Root Cause Analysis as defined in the Tab 7 Incident Reporting & Response policy and send it back, being sure to include your management team.

This is attached for your review.

Please let me know if you have any further questions.

Thanks,

Jim

Jim Grant

Director, Weapons and Use of Force Policy

Allied Universal

111 Founders Plaza, Suite 1001

East Hartford, CT 06108

W: <u>484.351.1404</u> | C: <u>413.883.4675</u> | <u>james.grant@aus.com</u>

www.AUS.com

From: Freeney, Patrick

Sent: Tuesday, April 5, 2022 3:37 PM

To: Force < force@aus.com >

Cc: Gaussen, Matthew < <u>Matthew.Gaussen@aus.com</u>> **Subject:** Twana Ahmed Use of Force (04042022)

ALCON,

See attached for the UOF incident that occurred on 04/04/2022. Please contact me using the information provided below if you have any questions.

Thanks in advance!

Patrick G. Freeney

Elite Client Manager for HEB/Houston

Allied Universal Security Services

11811 North Freeway| Suite 810 | Houston, TX 77060

C: 762.524.1023 | patrick.freeney@aus.com

License number: C15802

www.AUS.com



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From: <u>Grant, James</u> on behalf of <u>Grant, James <James.Grant@aus.com></u>

To: Freeney, Patrick; Force
Cc: Gaussen, Matthew; King, Bill

Subject: RE: Twana Ahmed Use of Force (04042022)

Date: Wednesday, April 6, 2022 9:24:33 AM

Attachments: Tab 007 - Incident Reporting and Response.pdf

image002.png

Given that this use of force appears to be outside of our established policies, please complete a Root Cause Analysis as defined in the Tab 7 Incident Reporting & Response policy and send it back, being sure to include your management team.

This is attached for your review.

Please let me know if you have any further questions.

Thanks, Jim

Jim Grant

Director, Weapons and Use of Force Policy

Allied Universal

111 Founders Plaza, Suite 1001

East Hartford, CT 06108

W: <u>484.351.1404</u> | C: <u>413.883.4675</u> | <u>james.grant@aus.com</u>

www.AUS.com

From: Freeney, Patrick

Sent: Tuesday, April 5, 2022 3:37 PM

To: Force <force@aus.com>

Cc: Gaussen, Matthew < Matthew.Gaussen@aus.com>

Subject: Twana Ahmed Use of Force (04042022)

ALCON,

See attached for the UOF incident that occurred on 04/04/2022. Please contact me using the information provided below if you have any questions.

Thanks in advance!

Patrick G. Freeney

Elite Client Manager for HEB/Houston

Allied Universal Security Services

11811 North Freeway| Suite 810 | Houston, TX 77060

C: 762.524.1023 | patrick.freeney@aus.com

License number: C15802

www.AUS.com



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|------|--|--|

From: King, Bill < Bill.King@aus.com > Sent: Wednesday, April 6, 2022 8:32 PM

To: Grant, James < <u>James.Grant@aus.com</u>>; Freeney, Patrick < <u>Patrick.Freeney@aus.com</u>>;

McKinnon, Kareem < Kareem < Matthew.Gaussen@aus.com>

Subject: RE: Twana Ahmed Use of Force (04042022)

Hi Patrick. All UOF incidents for HEB really need to be reviewed by Felicia, Mark and me please. Please send me the report so that I can review with Kareem as well. We review these as a panel and then work to identify how we can keep our SP's safe and also how we handle out of policy challenges. I look forward to working with you on these moving forward.

Bill King

Regional Vice President

Allied Universal

C: 346.802.8305 | bill.king@aus.com

From: Grant, James

Sent: Wednesday, April 6, 2022 9:25 AM

To: Freeney, Patrick < <u>Patrick.Freeney@aus.com</u>>; Force

<Force@allieduniversalservices.onmicrosoft.com>

Cc: Gaussen, Matthew < Matthew.Gaussen@aus.com >; King, Bill < Bill.King@aus.com >

Subject: RE: Twana Ahmed Use of Force (04042022)

Given that this use of force appears to be outside of our established policies, please complete a Root Cause Analysis as defined in the Tab 7 Incident Reporting & Response policy and send it back, being sure to include your management team.

This is attached for your review.

Please let me know if you have any further questions.

Thanks,

Jim

Jim Grant

Director, Weapons and Use of Force Policy

Allied Universal

111 Founders Plaza, Suite 1001

From: McKinnon, Kareem on behalf of McKinnon, Kareem <Kareem.McKinnon@aus.com>

To: <u>Freeney, Patrick</u>

Subject: Fwd: Twana Ahmed Use of Force (04042022) **Date:** Wednesday, April 6, 2022 8:52:30 PM

Attachments: <u>image002.png</u>

Hey Patrick,

Let's do this end if you have any use of force incidences call Felicia first, before sending one anyone a report. She's good at these things and will make sure that we have a buttoned up before communicating to anyone else internally.

Let me know if you have any questions.

Regards,

Kareem McKinnon Regional Vice President

Allied Universal C: 832.687.9248

License #C15802

From: McKinnon, Kareem < Kareem. McKinnon@aus.com>

Sent: Wednesday, April 6, 2022 8:50:58 PM

To: King, Bill <Bill.King@aus.com>; Grant, James <James.Grant@aus.com>; Freeney, Patrick

<Patrick.Freeney@aus.com>

Cc: Gaussen, Matthew <Matthew.Gaussen@aus.com> **Subject:** Re: Twana Ahmed Use of Force (04042022)

Thanks Bill. I'll connect with Patrick.

Regards,

Kareem McKinnon Regional Vice President

Allied Universal C: 832.687.9248

License #C15802

From: King, Bill <Bill.King@aus.com>

Sent: Wednesday, April 6, 2022 8:32:10 PM

To: Grant, James < James.Grant@aus.com>; Freeney, Patrick < Patrick.Freeney@aus.com>;

McKinnon, Kareem < Kareem. McKinnon@aus.com>

Cc: Gaussen, Matthew < Matthew. Gaussen@aus.com>

Subject: RE: Twana Ahmed Use of Force (04042022)

From: Freeney, Patrick on behalf of Freeney, Patrick < Patrick. Freeney@aus.com>

To: <u>King, Bill; Grant, James; McKinnon, Kareem</u>

Cc: <u>Gaussen, Matthew</u>

Subject: RE: Twana Ahmed Use of Force (04042022)

Date: Thursday, April 7, 2022 9:12:40 AM

Attachments: <u>image001.png</u>

image002.png

Yes Sir!

From: King, Bill <Bill.King@aus.com> Sent: Thursday, April 7, 2022 9:12 AM

To: Freeney, Patrick <Patrick.Freeney@aus.com>; Grant, James <James.Grant@aus.com>;

McKinnon, Kareem <Kareem.McKinnon@aus.com>
Cc: Gaussen, Matthew <Matthew.Gaussen@aus.com>
Subject: RE: Twana Ahmed Use of Force (04042022)

Thanks Patrick – I will ensure that a panel call is set up for tomorrow.

Bill King

Regional Vice President

Allied Universal

C: 346.802.8305 | bill.king@aus.com

From: Freeney, Patrick

Sent: Thursday, April 7, 2022 9:08 AM

To: King, Bill "> Grant, James "> McKinnon, Kareem

< Kareem. McKinnon@aus.com >

Cc: Gaussen, Matthew < <u>Matthew.Gaussen@aus.com</u>> **Subject:** RE: Twana Ahmed Use of Force (04042022)

Received.

Yes Sir. Going forward, I will ensure that she has eyes on this report prior to forwarding it up. Currently, I am working on the Root Cause Analysis and will have that completed today. I'll be in touch with Felicia to ensure its accuracy.

Thanks in advance!

Patrick G. Freeney

Elite Client Manager for HEB/Houston

Allied Universal Security Services

11811 North Freeway| Suite 810 | Houston, TX 77060

C: 762.524.1023 | patrick.freeney@aus.com

License number: C15802

www.AUS.com

| Thank you so much and have a PHENOMENAL day! |
|--|
| Felicia Solis-Ramirez |
| |
| Felicia Solis-Ramirez Branch Manager, San Antonio |
| Felicia Solis-Ramirez Branch Manager, San Antonio C: 210.260.1355 Felicia.Solis-Ramirez@aus.com From: Freeney, Patrick < Patrick.Freeney@aus.com> |
| Felicia Solis-Ramirez Branch Manager, San Antonio C: 210.260.1355 Felicia.Solis-Ramirez@aus.com From: Freeney, Patrick < Patrick.Freeney@aus.com > Sent: Thursday, April 7, 2022 9:36 AM To: Solis-Ramirez, Felicia < Felicia.Solis-Ramirez@aus.com > |
| Felicia Solis-Ramirez Branch Manager, San Antonio C: 210.260.1355 Felicia.Solis-Ramirez@aus.com From: Freeney, Patrick < Patrick.Freeney@aus.com > Sent: Thursday, April 7, 2022 9:36 AM |
| Felicia Solis-Ramirez Branch Manager, San Antonio C: 210.260.1355 Felicia.Solis-Ramirez@aus.com From: Freeney, Patrick < Patrick.Freeney@aus.com > Sent: Thursday, April 7, 2022 9:36 AM To: Solis-Ramirez, Felicia < Felicia.Solis-Ramirez@aus.com > |
| Felicia Solis-Ramirez Branch Manager, San Antonio C: 210.260.1355 Felicia.Solis-Ramirez@aus.com From: Freeney, Patrick < Patrick.Freeney@aus.com > Sent: Thursday, April 7, 2022 9:36 AM To: Solis-Ramirez, Felicia < Felicia.Solis-Ramirez@aus.com > |
| Felicia Solis-Ramirez Branch Manager, San Antonio C: 210.260.1355 Felicia.Solis-Ramirez@aus.com From: Freeney, Patrick < Patrick.Freeney@aus.com> Sent: Thursday, April 7, 2022 9:36 AM To: Solis-Ramirez, Felicia < Felicia.Solis-Ramirez@aus.com> Subject: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022 Thanks in advance! Patrick G. Freeney |
| Felicia Solis-Ramirez Branch Manager, San Antonio C: 210.260.1355 Felicia.Solis-Ramirez@aus.com From: Freeney, Patrick < Patrick.Freeney@aus.com> Sent: Thursday, April 7, 2022 9:36 AM To: Solis-Ramirez, Felicia < Felicia.Solis-Ramirez@aus.com> Subject: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022 Thanks in advance! Patrick G. Freeney Elite Client Manager for HEB/Houston Allied Universal Security Services |
| Felicia Solis-Ramirez Branch Manager, San Antonio C: 210.260.1355 Felicia.Solis-Ramirez@aus.com From: Freeney, Patrick < Patrick.Freeney@aus.com> Sent: Thursday, April 7, 2022 9:36 AM To: Solis-Ramirez, Felicia < Felicia.Solis-Ramirez@aus.com> Subject: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022 Thanks in advance! Patrick G. Freeney Elite Client Manager for HEB/Houston Allied Universal Security Services 11811 North Freeway Suite 810 Houston, TX 77060 C: 762.524.1023 patrick.freeney@aus.com |
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From: $\underline{\text{King, Bill}}$ on behalf of $\underline{\text{King, Bill <Bill.King@aus.com>}}$ McKinnon, Kareem; Solis-Ramirez, Felicia To:

Freeney, Patrick; Westman, Mark
RE: ***Attorney Client Privilege*** UOF Twana Ahmed 04042022 Subject:

Thursday, April 7, 2022 1:55:06 PM

Attachments: image002.jpg image004.png

Approved on my end as well.

Felicia – Let's resubmitted this one via force@aus.com, Justin, etc. from you or me with our panel results and next steps.

Patrick – Sorry that this process may be a surprise to you. Long story short.

Bill King

Regional Vice President

Allied Universal

C: 346.802.8305 | bill.king@aus.com

From: McKinnon, Kareem

Sent: Thursday, April 7, 2022 12:49 PM

To: Solis-Ramirez, Felicia <Felicia.Solis-Ramirez@aus.com>; King, Bill <Bill.King@aus.com> Cc: Freeney, Patrick < Patrick. Freeney@aus.com >; Westman, Mark < Mark. Westman@aus.com >

Subject: RE: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

While I hate to lose an Elite s/p. I totally agree.

This is a good review process. Thank you!

Kareem McKinnon

Regional Vice President

Allied Universal

C: 832.687.9248 | kareem.mckinnon@aus.com

License # C15802

From: Solis-Ramirez, Felicia < Felicia. Solis-Ramirez@aus.com >

Sent: Thursday, April 7, 2022 12:39 PM

To: McKinnon, Kareem < King, Bill < a href="mailto:Bill.King@aus.com">Bill.King@aus.com>

Cc: Freeney, Patrick < Patrick.Freeney@aus.com >; Westman, Mark < Mark.Westman@aus.com >

Subject: FW: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

Hi HEB Team,

In reviewing the attached and speaking with Patrick, it is my recommendation that the officer be terminated. Here are some highlights from the attached:

- SP signed UoF checkpoint in the field with FS on 2/14/22 (pictured below).
- SP knowingly violated the policy by restraining a shoplifter that was not a threat to the SP or the public.
- SP refused to complete a written statement and did not submit a HeliAUS report following the incident (activity, event or incident).
- SP refused to sign disciplinary counseling.

From: Freeney, Patrick on behalf of Freeney, Patrick <Patrick.Freeney@aus.com>

King, Bill; McKinnon, Kareem; Solis-Ramirez, Felicia To:

Westman, Mark
RE: ***Attorney Client Privilege*** UOF Twana Ahmed 04042022 Subject:

Thursday, April 7, 2022 1:56:52 PM Attachments:

image001.png image002.jpg image003.png

Mr. King,

Thank you for saying this. Felicia and been beyond patient with me on today, but I am motivated to get this under my belt. I look forward to the specifics

Thanks in advance!

Patrick G. Freeney

Elite Client Manager for HEB/Houston

Allied Universal Security Services

11811 North Freeway| Suite 810 | Houston, TX 77060

C: 762.524.1023 | patrick.freeney@aus.com

License number: C15802

www.AUS.com

HE>i

From: King, Bill <Bill.King@aus.com> Sent: Thursday, April 7, 2022 1:55 PM

To: McKinnon, Kareem <Kareem.McKinnon@aus.com>; Solis-Ramirez, Felicia <Felicia.Solis-Ramirez@aus.com>

Cc: Freeney, Patrick <Patrick.Freeney@aus.com>; Westman, Mark <Mark.Westman@aus.com>

Subject: RE: ***Attorney Client Privilege*** UOF Twana Ahmed 04042022

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To: Solis-Ramirez, Felicia < Felicia. Solis-Ramirez@aus.com >; King, Bill < Bill. King@aus.com > Cc: Freeney, Patrick < Patrick. Freeney@aus.com >; Westman, Mark < Mark. Westman@aus.com >

Subject: RE: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

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Regional Vice President

Allied Universal

C: 832.687.9248 | kareem.mckinnon@aus.com

From: Solis-Ramirez, Felicia < Felicia. Solis-Ramirez@aus.com>

Sent: Thursday, April 7, 2022 12:39 PM

To: McKinnon, Kareem < King, Bill < Bill.King@aus.com>

Cc: Freeney, Patrick < Patrick. Freeney@aus.com >; Westman, Mark < Mark. Westman@aus.com >

Subject: FW: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

Hi HEB Team,

In reviewing the attached and speaking with Patrick, it is my recommendation that the officer be terminated. Here are some highlights from the attached:

From: Freeney, Patrick on behalf of Freeney, Patrick < Patrick. Freeney@aus.com>

To: <u>Solis-Ramirez, Felicia</u>

Subject:FW: Twana Ahmed Use of Force (04042022)Date:Thursday, April 7, 2022 6:00:38 PMAttachments:Root Cause Analysis (Ahmed 04042022).docx

Root Cause Analysis Tab 7 (Ahmed 04042022).pdf

image002.png

Hi Felicia.

See attached. I completed this RCA. I just didn't want to have this hanging over my head. If this looks good, I'll forward it to Mr. Grant. Let me know what you think.

Patrick

From: Grant, James <James.Grant@aus.com> Sent: Wednesday, April 6, 2022 9:25 AM

To: Freeney, Patrick < Patrick. Freeney@aus.com>; Force < Force@allieduniversalservices.onmicrosoft.com>

Cc: Gaussen, Matthew < Matthew.Gaussen@aus.com>; King, Bill < Bill.King@aus.com>

Subject: RE: Twana Ahmed Use of Force (04042022)

Given that this use of force appears to be outside of our established policies, please complete a Root Cause Analysis as defined in the Tab 7 Incident Reporting & Response policy and send it back, being sure to include your management team.

This is attached for your review.

Please let me know if you have any further questions.

Thanks, Jim

Jim Grant

Director, Weapons and Use of Force Policy

Allied Universal

111 Founders Plaza, Suite 1001

East Hartford, CT 06108

W: <u>484.351.1404</u> | C: <u>413.883.4675</u> | <u>james.grant@aus.com</u>

www.AUS.com

From: Freeney, Patrick

Sent: Tuesday, April 5, 2022 3:37 PM

To: Force < force@aus.com>

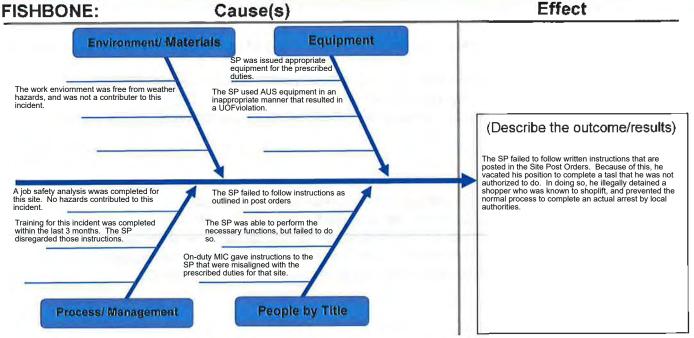
Cc: Gaussen, Matthew < <u>Matthew.Gaussen@aus.com</u>> **Subject:** Twana Ahmed Use of Force (04042022)

ALCON,

Incident Reporting & Response Tab 07

Root Cause Analysis & Corrective Actions Worksheet – Appendix 7.4

| Incident Date: 040 | 42022 | Incident Title: SP Twana Ahmed Inappropriate UOF |
|---------------------------|---------------|--|
| Solution Team Members: | B. King, J. G | rant, K. McKinnon, P. Freeney, F. Soliz, |



| Root Causes: | Fishbone Section: |
|---|-------------------|
| Blatant disregard of Post Order instructions on the part of the AUS-SP. | |
| | |
| | |

| Corrective Actions: | Assigned to: | Due Date: | Date Completed: |
|---|--------------|--------------|--------------------|
| Create a Safety Share for this incident | | | |
| Recommendation: Termination | | | |
| Mandate all SP's retake UOF Training on the EDGE. New SP's will participate in a Safety-Standdown regarding Use of Force. | | | |
| | | | |

Root Cause Analysis

Employee Name: Twana Ahmed Employee EE Number: 9352791

Hire Date: 12/15/2021

Management Team: CM Patrick Freeney

FS Alexander Bergeron FS Nathan Hernandez FS Patrick Parham FS Mauricio Zepeda

1. Problem Statement:

All Security Professionals that are local to the Houston, Texas Market were recently trained within the last 3 months on specific approved policies regarding:

- Proper/appropriate Use of Force techniques/De-escalation practices
- AUS Security Personnel's roll in loss prevention/shoplifting

In reference to the incident that involved UOF on April 4, 2022, SP Twana Ahmed disregarded his training, and blatantly ignored his post orders to implement maneuvers that were outside of the scope of his duties. Because of this, a shopper of HEB was illegally detained, and although this individual did shoplift, he was unable to be charged for the crime committed due to the fact that the SP prevented him from leaving the store with the merchandise without paying.

2. Why did this happen?

SP Twana Ahmed was interviewed following this incident to determine his motivations from these actions. The SP stated that he was approached by the on-duty MIC to give assistance should the need arise from this known shoplifter being inside the store. The SP acknowledged this request and waited behind the door for the shoplifter to exit the store. Upon the shoplifter's exit, the SP committed the UOF infraction.

This incident occurred for two reasons:

- The SP willingly disregarded his duties and instructions given in the Site Post Orders
- The Store MIC requested a service from AUS personnel that is unauthorized and outside of the scope of our duties. It is this request that prompts the SP to fulfill the instructions given by senior HEB employees because it is believed to be an approved request. The SP also does not want to seem non-compliant.

3. Corrective Action

In accordance with established company policy (Disciplinary Matrix), due to abuse of a customer, employee, visitor or other third party (physical, verbal or otherwise), including fighting, provoking a fight or other disorderly, careless or reckless conduct on or near company/customer property or in company uniform at any time. This includes inappropriate use of force in violation of the Use of Force policy. This AUS employee should be terminated. This approach reverberates throughout the Houston area AUS Elite Program and provides insight as to what could happen should instances such as this be repeated.

From: $\underline{\text{King, Bill}}$ on behalf of $\underline{\text{King, Bill <Bill.King@aus.com>}}$ McKinnon, Kareem; Solis-Ramirez, Felicia To:

Freeney, Patrick; Westman, Mark
RE: ***Attorney Client Privilege*** UOF Twana Ahmed 04042022

Subject: Thursday, April 7, 2022 1:55:06 PM

Attachments:

image002.jpg image004.png

Approved on my end as well.

Felicia – Let's resubmitted this one via force@aus.com, Justin, etc. from you or me with our panel results and next steps.

Patrick – Sorry that this process may be a surprise to you. Long story short.

Bill King

Regional Vice President

Allied Universal

C: 346.802.8305 | bill.king@aus.com

From: McKinnon, Kareem

Sent: Thursday, April 7, 2022 12:49 PM

To: Solis-Ramirez, Felicia <Felicia.Solis-Ramirez@aus.com>; King, Bill <Bill.King@aus.com> Cc: Freeney, Patrick < Patrick. Freeney@aus.com >; Westman, Mark < Mark. Westman@aus.com >

Subject: RE: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

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License # C15802

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Cc: Freeney, Patrick < Patrick.Freeney@aus.com >; Westman, Mark < Mark.Westman@aus.com >

Subject: FW: ***Attorney Client Privelidge*** UOF Twana Ahmed 04042022

Hi HEB Team,

In reviewing the attached and speaking with Patrick, it is my recommendation that the officer be terminated. Here are some highlights from the attached:

- SP signed UoF checkpoint in the field with FS on 2/14/22 (pictured below).
- SP knowingly violated the policy by restraining a shoplifter that was not a threat to the SP or the public.
- SP refused to complete a written statement and did not submit a HeliAUS report following the incident (activity, event or incident).
- SP refused to sign disciplinary counseling.

From: <u>Solis-Ramirez, Felicia</u> on behalf of <u>Solis-Ramirez, Felicia < Felicia. Solis-Ramirez@aus.com></u>

To: King, Bill

Subject: ***Attorney Client Privileged Communication***

Date: Friday, April 8, 2022 6:58:45 PM
Attachments: Root Cause Analysis (Houston 4.4.22).pdf

ALC Lice of Force Popert LIEP Houston 4.4.22 n

AUS Use of Force Report - HEB - Houston 4.4.22.pdf

mage001.jpg

Brief Summary:

Our SP restrained a suspected shoplifter.

Outcome of Panel Review:

We have interviewed the SP, reviewed the scenario with our panel, and briefed the customer. The SP was made aware of our use of force policy and confirmed acknowledgement on 2/14/22. We feel the SP acted **outside** the use of force continuum and guidelines of the Use of Force Policy.

Post Action Feedback:

Our panel agrees that the SP violated the Use of Force policy and should be terminated.

Please reach out directly to me with any questions.

Felicia Solis-Ramirez

Branch Manager, San Antonio

Allied Universal

C: 210.260.1355 | Felicia.Solis-Ramirez@aus.com

License #C15802 | www.AUS.com



From: King, Bill on behalf of King, Bill <Bill.King@aus.com>

To: <u>Grant, James</u>; <u>Freeney, Patrick</u>

Cc: Gaussen, Matthew; Solis-Ramirez, Felicia; Barnett, Michael; Nagy, Justin; Smidt, Mike; McKinnon, Kareem

Subject: RE: ***Attorney/Client Privilege*** Twana Ahmed Use of Force (04042022)

Date: Friday, April 8, 2022 7:05:06 PM
Attachments: Root Cause Analysis (Houston 4.4.22).pdf

AUS Use of Force Report - HEB - Houston 4.4.22.pdf

image002.png image004.png

Hi Jim – Just wanted to increase the audience and provide an additional summary. This Houston report was outside of our standard HEB process, hence why this summary and panel debrief is coming out much later.

Brief Summary:

Our SP restrained a suspected shoplifter.

Outcome of Panel Review:

We have interviewed the SP, reviewed the scenario with our panel, and briefed the customer. The SP was made aware of our use of force policy and confirmed acknowledgement on 2/14/22. We feel the SP acted **outside** the use of force continuum and guidelines of the Use of Force Policy.

Post Action Feedback:

Our panel agrees that the SP violated the Use of Force policy and should be terminated.

Bill King

Regional Vice President

Allied Universal

C: 346.802.8305 | bill.king@aus.com

From: Grant, James

Sent: Friday, April 8, 2022 9:38 AM

To: Freeney, Patrick < Patrick. Freeney@aus.com>

Cc: Gaussen, Matthew < Matthew.Gaussen@aus.com>; King, Bill < Bill.King@aus.com>; Solis-Ramirez,

Felicia <Felicia.Solis-Ramirez@aus.com>

Subject: RE: ***Attorney/Client Privilege*** Twana Ahmed Use of Force (04042022)

Does everyone concur with this conclusion?

Jim Grant

Director, Weapons and Use of Force Policy

Allied Universal

111 Founders Plaza, Suite 1001 East Hartford, CT 06108 From: King, Bill on behalf of King, Bill <Bill.King@aus.com>

To: Smidt, Mike; Nagy, Justin
Cc: Solis-Ramirez, Felicia

Subject: RE: ***Attorney/Client Privilege*** Twana Ahmed Use of Force (04042022)

Date: Saturday, April 9, 2022 1:32:59 PM

Attachments: <u>image001.png</u>

image002.png

Mike – Excellent callout. This employee will be terminated.

Felicia – Lets also add HR to our panel for future cases that may not be as clear.

Bill King

Regional Vice President

Allied Universal

C: 346.802.8305 | bill.king@aus.com

From: Smidt, Mike

Sent: Saturday, April 9, 2022 6:09 AM

To: King, Bill <Bill.King@aus.com>; Nagy, Justin <Justin.Nagy@aus.com>

Subject: RE: ***Attorney/Client Privilege*** Twana Ahmed Use of Force (04042022)

Morning guys,

Just catching up on this from yesterday.

Maybe just one clarification I would ask when sending these off to corporate.

Bill your section below:

Post Action Feedback:

Our panel agrees that the SP violated the Use of Force policy and should be terminated.

It feels to me like you are asking for permission to fire this SP? To me this is 100% your call and if the panel feels the SP should be terminated, then your answer should have been firm. The SP will be terminated for violation of company policy.

Thanks,

Mike

Mike Smidt Chief Operating Officer, West Allied Universal Security Services 8950 Cal Center Drive #115

Exhibit 20

Patrick Freeney's submission form terminating Twana Ahmed April 26, 2022

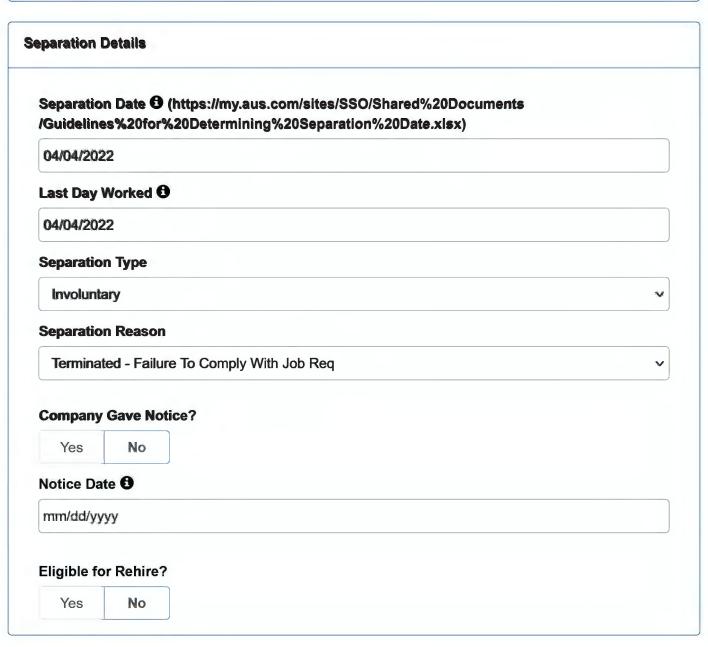


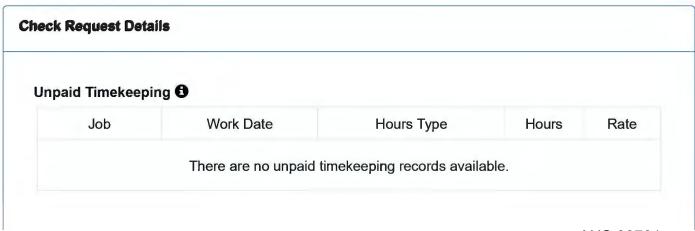
(https://my.aus.com)

| Personnel Action Notice Service Staff Separation: PANHS2022-0426-1401 |
|---|
| Submitted By |
| Patrick Freeney |
| Submitted On |
| Tuesday, April 26, 2022 11:43 AM |
| Subject |
| Twana Ahmed Termination |
| Selected Stakeholders |
| Ralon Hardy |
| Brenda Richmond |
| Deja Ingram |
| Matthew Gaussen |
| Catherine Barnes |









| Туре |) | Job | Description | | Amount |
|--|-----------------------|---|-----------------------------|-----------------|-----------|
| | | There is no withhol | ding information available. | | |
| Process O | n | | | | |
| Next Che | ck Sep | parate Check | | | |
| Delivery M | ethod | | | | |
| Normal | Hand D | elivered | | | |
| Additional | Details | | | | |
| | | | | | |
| | | | | | |
| Schedule (| 9 | | | | Refresh C |
| Jo | b | Work Date | Hours Type | Hours | Rate |
| | | There are no sched | duled work dates available. | | |
| | | g vacation and sick bala ctual requirements. | nces we know about, whic | ch will be paid | out based |
| | | | | | |
| Sick | | | | | |
| Sick Eligible | | | | | |
| | | | | | |
| Eligible 0.00 | Calendar ² | 1-2=40 (0.7693),3-7=80 (1 | 1.5385),8+=120 (2.3077)) | | |
| Eligible 0.00 | Calendar [,] | 1-2=40 (0.7693),3-7=80 (1 | 1.5385),8+=120 (2.3077)) | | |
| Eligible 0.00 Vacation (0 | Calendar ′ | 1-2=40 (0.7693),3-7=80 (1 | 1.5385),8+=120 (2.3077)) | | |
| Eligible 0.00 Vacation (C | | 1-2=40 (0.7693),3-7=80 (1 | l.5385),8+=120 (2.3077)) | | |
| Eligible 0.00 Vacation (CEligible 2.30 | | 1-2=40 (0.7693),3-7=80 (1 | l.5385),8+=120 (2.3077)) | | |
| Eligible 0.00 Vacation (CEligible 2.30 Scheduled | | 1-2=40 (0.7693),3-7=80 (1 | 1.5385),8+=120 (2.3077)) | | |

AUS 00702

| Attachments | | | | | | |
|-------------|-------------|------|--|--|--|--|
| File Name | Description | Туре | | | | |

| Request History | | | | | |
|-----------------|----------|-------|--|--|--|
| When | Added By | Notes | | | |

| When | Actioned By | Action Taken |
|-----------------|-----------------|-------------------|
| Over a year ago | Patrick Freeney | Request Submitted |
| Over a year ago | kehess | Complete Request |

Exhibit 21

Allied discipline form demoting Alex Bergeron



COACHING – COUNSELING – DISCIPLINARY NOTICE

Security Professionals/Service Employees

| Position Title Security Professional Field Supervisor Supervisor Partick Freeney Positionary Period Currently Past Union | Emp | loyee Name | Alexander Bergero | n | | | Employ | ee ID | 6985287 | | |
|--|-------------------------------|---|---|--|--|---|---------------------------------------|---|--|--------------------------------------|--------------------------|
| Union Orse O No Union Name/Local Probationary Period Currently Past Union WORK HISTORY — Prior coaching/counseling or disciplinary action Type of Action(s) Date Issued By Verhal Warning Pathok Freeney Failed to oversee work schedule in WinTam. | Posit | tion Title | Security Profession | al Field Supervi | sor | | Branch, | /Department | Houston- Co | mmercial | |
| WORK HISTORY – Prior coaching/counseling or disciplinary action Type of Action(s) Date Issued By Description/Reason Verbal Warning Pathek Freeney Failed to oversee work schedule in WinTaam. Written Warning Final Warning/Suspension CURRENT SITUATION – INFRACTION/PERFORMANCE ISSUE(S) – List as applicable. Attach additional pages if necessary. Work Rule Violation Performance Obsregarded specific instructions given by Ciliont Manager which resulted in improper reporting of UOF incident. Attendance FACTS – Provide details of the situation (Who, What, Where, When, How). Attach additional pages if necessary. On April 4, 2022, SP Treans Ahmed paticipated in an inappropriate UOF procedure while on shift at an Elste HEB site. Alex Bergeron was on duty, and functioned as the Field Supervisor who was sit charge of supervising Ahmed. FS Alex Bergeron was instructed to ensure that SP Ahmed completed the Heliaus Report in reference to the incident hat find occurred. Bergeron saled that the behalf of the situation of the procedure while one shift at an Elste HEB site. Alex Bergeron was on duty, and the Hebitaus Report in reference to the incident hat find occurred. Bergeron saled that the behalf of the situation of th | Clien | it Site | HEB Houston | | | | Supervi | sor | Patrick Free | теу | |
| Type of Action(s) Verifal Warning | Unio | n 🔾 Yes 🗿 No | Union Name/L | ocal | | | Probati | onary Period | ☐ Curren | tly 🗆 Past Ur | nion |
| Written Warning | | | ior coaching/co | - | | | Descrip | otion/Reason | | | |
| Written Warning Final Warning/Suspension | | | 7 | | | • | • | • | edule in WinTea | m. | |
| Final Warning/Suspension CURRENT SITUATION - INFRACTION/PERFORMANCE ISSUE(S) - List as applicable. Attach additional pages if necessary. Work Rule Violation Performance | _ | | - | | 7 411077 1 101 | ,,,,,, | | | | ., | |
| CURRENT SITUATION - INFRACTION/PERFORMANCE ISSUE(S) - List as applicable. Attach additional pages if necessary. Work Rule Violation Performance Disregarded apacific instructions given by Cilonit Manager which resulted in improper reporting of UOF incident. Attendance FACTS - Provide details of the situation (Who, What, Where, When, How). Attach additional pages if necessary. On April 4, 2022, SP Twans Ahmed participated in an inappropriate UOF procedure while on shift at an Elite HEB site. Alex Bergeron was on duly, and functioned as the Field Supervisor was in charge of supervising Ahmed. FS Alex Bergeron was instructed to ensure that SP Ahmed completed functioned as the Field Supervisor was in charge of supervising Ahmed. FS Alex Bergeron was instructed to ensure that SP Ahmed completed functioned as the Field Supervisor was in charge of supervising Ahmed. FS Alex Bergeron was instructed to ensure that SP Ahmed completed functioned as the Field Supervisor was in charge of supervising Ahmed. FS Alex Bergeron was instructed to ensure that SP Ahmed completed functioned as the Field Supervisor was in charge of supervising Ahmed. FS Alex Bergeron was instructed to ensure that SP Ahmed completed functions are included in the model that had counted that SP Ahmed completed functions are included that the SP Ahmed completed report. Because FS Bergeron did not ensure that Fe Part and SP Ahmed completed report. Because FS Bergeron did not ensure that separated negative repercussion for Officer Ahmed which depended on the review of his completed report. Because FS Bergeron did not ensure that separate part and | _ | | • | | | | | | | | |
| Disregarded apsolific instructions given by Cliont Manager which resulted in improper reporting of UOF incident. | CURI | RENT SITUATION | N – INFRACTION | /PERFORMAI | NCE ISSUE(S) | – List as a | pplicable | . Attach additi | onal pages If | necessary. | |
| FACTS — Provide details of the situation (Who, What, Where, When, How). Attach additional pages if necessary. On April 4, 2022, SP Twans Ahmed participated in an inappropriate UOF procedure white on shift at an Etite HEB site. Alex Bargaron was on duly, and functioned as the Field Supervisor why was in charge of supervising Ahmed. FS Alex Bargaron was instructed to the incident that had occurred. Begrever stated that he would accomplish this tasking. It did not get done. Because this incident was an improper UOF, this incident generated negative representation for Officer Ahmed which depended on the review of his completed report. Because FS Bergeron did not ensure that Paper wes completed, negative attention was brought upon him, this office and the program. EXPECTATION — Detail the future behavior that is expected. Attach additional pages if necessary. Refer to AUS Employee Handbook. CORRECTIVE ACTION — Determine next steps, follow-up and/or consequences. Attach additional pages if necessary. Recommendation: Released from the HEB Elite Program. DOCUMENTATION OF CORRECTIVE ACTION Agree Verbal Warning Written Warning Final Warning To Prinal Warning Opinion Suspension Dates of Suspension From To Paid Opinion Suspensions of greater than one day require review with Regional HR Manager or Director in advance ACKNOWLEGEMENT Lackowkege that this Concline; Counseligan, Oscipheary Notice has been reviewed with me. By signing below, is acknowledge to copy has been given to me and that a copy will be pieced in my personnel file. Any other parformance deficiency and/or policy violations may result in further disciplinary action up to and including termination. Agree Disagree Employee Comments: Manager/Supervisor Patrick G. Freeney Manager/Supervisor Signature Date Witness Name Witness Name | _ | | attorr | Discounted | | | Ollogi Mar | | lad in impressor | ropodina of HO | E inaldent |
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Exhibit 22

Civil Rights Act of 1866 (Section 1981)

42 USCS § 1981, Part 1 of 4

Current through Public Law 118-209, approved December 23, 2024, with a gap of Public Law 118-159.

United States Code Service > TITLE 42. THE PUBLIC HEALTH AND WELFARE (Chs. 1 — 164) > CHAPTER 21. CIVIL RIGHTS (§§ 1981 — 2000h-6) > GENERALLY (§§ 1981 — 1996b)

§ 1981. Equal rights under the law

- (a) Statement of equal rights. All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.
- (b) "Make and enforce contracts" defined. For purposes of this section, the term "make and enforce contracts" includes the making, performance, modification, and termination of contracts, and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship.
- **(c) Protection against impairment.** The rights protected by this section are protected against impairment by nongovernmental discrimination and impairment under color of State law.

History

HISTORY:

R.S. § 1977; Nov. 21, 1991, P. L. 102-166, Title I, § 101, 105 Stat. 1071.

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Exhibit 23

Civil Rights Act of 1964 (Title VII)

42 USCS § 2000e-2, Part 1 of 8

Current through Public Law 118-209, approved December 23, 2024, with a gap of Public Law 118-159.

United States Code Service > TITLE 42. THE PUBLIC HEALTH AND WELFARE (Chs. 1 — 164) > CHAPTER 21. CIVIL RIGHTS (§§ 1981 — 2000h-6) > EQUAL EMPLOYMENT OPPORTUNITIES (§§ 2000e — 2000e-17)

§ 2000e-2. Unlawful employment practices

- (a) Employer practices. It shall be an unlawful employment practice for an employer—
 - (1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or
 - (2) to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.
- (b) Employment agency practices. It shall be an unlawful employment practice for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of his race, color, religion, sex, or national origin, or to classify or refer for employment any individual on the basis of his race, color, religion, sex, or national origin.
- (c) Labor organization practices. It shall be an unlawful employment practice for a labor organization—
 - (1) to exclude or to expel from its membership, or otherwise to discriminate against, any individual because of his race, color, religion, sex, or national origin;
 - (2) to limit, segregate, or classify its membership or applicants for membership, or to classify or fail or refuse to refer for employment any individual, in any way which would deprive or tend to deprive any individual of employment opportunities, or would limit such employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment, because of such individual's race, color, religion, sex, or national origin; or
 - (3) to cause or attempt to cause an employer to discriminate against an individual in violation of this section.
- (d) Training programs. It shall be an unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including onthe-job training programs to discriminate against any individual because of his race, color, religion, sex, or national origin in admission to, or employment in, any program established to provide apprenticeship or other training.
- (e) Businesses or enterprises with personnel qualified on basis of religion, sex, or national origin; educational institutions with personnel of particular religion. Notwithstanding any other provision of this title [42 USCS §§ 2000e et seq.], (1) it shall not be an unlawful employment practice for an employer to hire and employ employees, for an employment agency to classify, or refer for employment any individual, for a labor organization to classify its membership or to classify or refer for employment any individual, or for an employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining programs to admit or employ any individual in any such program, on the basis of his religion, sex, or national origin in those certain instances where religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise, and (2) it shall not be an unlawful employment practice for a school, college, university, or other

42 USCS § 2000e-2, Part 1 of 8

persons of such race, color, religion, sex, or national origin in any community, State, section, or other area, or in the available work force in any community, State, section, or other area.

(k) Burden of proof in disparate impact cases.

(1)

- (A) An unlawful employment practice based on disparate impact is established under this title only if—
 - (i) a complaining party demonstrates that a respondent uses a particular employment practice that causes a disparate impact on the basis of race, color, religion, sex, or national origin and the respondent fails to demonstrate that the challenged practice is job related for the position in question and consistent with business necessity; or
 - (ii) the complaining party makes the demonstration described in subparagraph (C) with respect to an alternative employment practice and the respondent refuses to adopt such alternative employment practice.

(B)

- (i) With respect to demonstrating that a particular employment practice causes a disparate impact as described in subparagraph (A)(i), the complaining party shall demonstrate that each particular challenged employment practice causes a disparate impact, except that if the complaining party can demonstrate to the court that the elements of a respondent's decisionmaking process are not capable of separation for analysis, the decisionmaking process may be analyzed as one employment practice.
- (ii) If the respondent demonstrates that a specific employment practice does not cause the disparate impact, the respondent shall not be required to demonstrate that such practice is required by business necessity.
- **(C)** The demonstration referred to by subparagraph (A)(ii) shall be in accordance with the law as it existed on June 4, 1989, with respect to the concept of "alternative employment practice".
- **(2)** A demonstration that an employment practice is required by business necessity may not be used as a defense against a claim of intentional discrimination under this title.
- (3) Notwithstanding any other provision of this title [42 USCS §§ 2000e] et seq.], a rule barring the employment of an individual who currently and knowingly uses or possesses a controlled substance, as defined in schedules I and II of section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), other than the use or possession of a drug taken under the supervision of a licensed health care professional, or any other use or possession authorized by the Controlled Substances Act or any other provision of Federal law, shall be considered an unlawful employment practice under this title only if such rule is adopted or applied with an intent to discriminate because of race, color, religion, sex, or national origin.
- (I) Prohibition of discriminatory use of test scores. It shall be an unlawful employment practice for a respondent, in connection with the selection or referral of applicants or candidates for employment or promotion, to adjust the scores of, use different cutoff scores for, or otherwise alter the results of, employment related tests on the basis of race, color, religion, sex, or national origin.
- (m) Impermissible consideration of race, color, religion, sex, or national origin in employment practices. Except as otherwise provided in this title [42 USCS §§ 2000e et seq.], an unlawful employment practice is established when the complaining party demonstrates that race, color, religion, sex, or national origin was a motivating factor for any employment practice, even though other factors also motivated the practice.
- (n) Resolution of challenges to employment practices implementing litigated or consent judgments or orders.

Exhibit 24

Texas Commission on Human Rights Act (TCHRA)

*** This document is current through the 2023 Regular Session; the 1st C.S.; the 2nd C.S.; the 3rd C.S. and the 4th C.S. of the 88th Legislature; and the November 7, 2023 general election results. ***

Texas Statutes & Codes Annotated by LexisNexis® > Labor Code > Title 2 Protection of Laborers (Subts. A - E) > Subtitle A Employment Discrimination (Chs. 21 - 50) > Chapter 21 Employment Discrimination (Subchs. A - K) > Subchapter A General Provisions (§§ 21.001 - 21.010)

Sec. 21.001. Purposes.

The general purposes of this chapter are to:

- (1) provide for the execution of the policies of Title VII of the Civil Rights Act of 1964 and its subsequent amendments (42 U.S.C. Section 2000e et seq.);
- (2) identify and create an authority that meets the criteria under <u>42 U.S.C. Section 2000e-5(c)</u> and <u>29 U.S.C. Section 633</u>;
- (3) provide for the execution of the policies embodied in Title I of the Americans with Disabilities Act of 1990 and its subsequent amendments (42 U.S.C. Section 12101 et seq.);
- **(4)** secure for persons in this state, including persons with disabilities, freedom from discrimination in certain employment transactions, in order to protect their personal dignity;
- (5) make available to the state the full productive capacities of persons in this state;
- (6) avoid domestic strife and unrest in this state;
- (7) preserve the public safety, health, and general welfare; and
- (8) promote the interests, rights, and privileges of persons in this state.

History

Enacted by <u>Acts 1993, 73rd Leg., ch. 269 (H.B. 752), § 1</u>, effective September 1, 1993; am. <u>Acts 1995, 74th Leg., ch. 76 (S.B. 959), § 9.01(a)</u>, effective September 1, 1995.

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Texas Statutes & Codes Annotated by LexisNexis® > Labor Code > Title 2 Protection of Laborers (Subts. A - E) > Subtitle A Employment Discrimination (Chs. 21 - 50) > Chapter 21 Employment Discrimination (Subchs. A - K) > Subchapter B Unlawful Employment Practices (§§ 21.051 - 21.061)

Sec. 21.051. Discrimination by Employer.

An employer commits an unlawful employment practice if because of race, color, disability, religion, sex, national origin, or age the employer:

- (1) fails or refuses to hire an individual, discharges an individual, or discriminates in any other manner against an individual in connection with compensation or the terms, conditions, or privileges of employment; or
- (2) limits, segregates, or classifies an employee or applicant for employment in a manner that would deprive or tend to deprive an individual of any employment opportunity or adversely affect in any other manner the status of an employee.

History

Enacted by Acts 1993, 73rd Leg., ch. 269 (H.B. 752), § 1, effective September 1, 1993.

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Texas Statutes & Codes Annotated by LexisNexis® > Labor Code > Title 2 Protection of Laborers (Subts. A - E) > Subtitle A Employment Discrimination (Chs. 21 - 50) > Chapter 21 Employment Discrimination (Subchs. A - K) > Subchapter C Application; Exceptions (§§ 21.101 - 21.129)

Sec. 21.108. Discrimination Based on Religion.

A provision in this chapter referring to discrimination because of religion or on the basis of religion applies to discrimination because of or on the basis of any aspect of religious observance, practice, or belief, unless an employer demonstrates that the employer is unable reasonably to accommodate the religious observance or practice of an employee or applicant without undue hardship to the conduct of the employer's business.

History

Enacted by Acts 1993, 73rd Leg., ch. 269 (H.B. 752), § 1, effective September 1, 1993.

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Sec. 21.110. Discrimination Based on National Origin.

A provision in this chapter referring to discrimination because of national origin or on the basis of national origin includes discrimination because of or on the basis of the national origin of an ancestor.

History

Enacted by Acts 1993, 73rd Leg., ch. 269 (H.B. 752), § 1, effective September 1, 1993.

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Sec. 21.125. Clarifying Prohibition Against Impermissible Consideration of Race, Color, Sex, National Origin, Religion, Age, or Disability in Employment Practices.

- (a) Except as otherwise provided by this chapter, an unlawful employment practice is established when the complainant demonstrates that race, color, sex, national origin, religion, age, or disability was a motivating factor for an employment practice, even if other factors also motivated the practice, unless race, color, sex, national origin, religion, age, or disability is combined with objective job-related factors to attain diversity in the employer's work force.
- **(b)** In a complaint in which a complainant proves a violation under Subsection (a) and a respondent demonstrates that the respondent would have taken the same action in the absence of the impermissible motivating factor, the court may grant declaratory relief, injunctive relief except as otherwise provided by this subsection, and attorney's fees and costs demonstrated to be directly attributable only to the pursuit of a complaint under Subsection (a), but may not award damages or issue an order requiring an admission, reinstatement, hiring, promotion, or back pay.

History

Enacted by <u>Acts 1995, 74th Leg., ch. 76 (S.B. 959), § 9.05(a)</u>, effective September 1, 1995; am. <u>Acts 1997, 75th Leg., ch. 1126 (H.B. 3048), § 1, effective September 1, 1997.</u>

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